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2

THE
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AN ILLUSTRATION OF THE
Moral and Ecclesiastical State
OF
SCOTLAND

BEFORE AND AFTER THE REFORMATION.

WITH
INTRODUCTION, OBSERVATIONS, AND NOTES,

BY
JOHN PARKER LAWSON, M.A.



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BY

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INTRODUCTION.

 **PERTH**—the St Johnstown of Scottish history and song, known by the designation of the “Fair City,” —is the prominent subject of the present volume, and the purport of the details here given is to lay before the reader, by way of contrast, the ecclesiastical and moral state, before and after the Reformation, of the inhabitants of one of the most important and celebrated of Scottish cities. Every attempt to elucidate the manners and customs of past generations—their social, domestic, and religious condition—is interesting and valuable; and as it respects the era of the Reformation, a curious point still remains to be investigated in the history of the Scottish people of the sixteenth century, viz. the singular phenomenon, almost unexampled in any other country, of the same generation abandoning the ancient ritual which they had been accustomed to revere, and rushing into the extreme of theological novelties undeniably the inventions of the day. Such is the remarkable characteristic to which the attention of the reader is directed in the following pages, the state of Perth before and after the Reformation having many parallels in Scotland, when the new polity was received under the auspices of John Knox and his coadjutors, and zealously adopted by the great majority of the Lowland part of the population, who made a transition at once, from an ardent attachment to the Roman Catholic Hierarchy, to a system

of religious tenets, opinions, and observances, which had hitherto been unknown in the Christian world. The former ecclesiastics, moreover, must have viewed this unexpected revolution, and the evils which overwhelmed them, with consternation. It is appropriately observed—"History presents few changes of fortune more sudden and complete than that which befel the monastic communities at the period of the Reformation. Within a few years their wealth, their honours, their avocations, their establishments, were swept away. However useful these institutions might have been in an earlier and different stage of society, juster views of religion now condemned them as founded in error, and worse than useless. This, together with the misconduct of individuals among them, degraded them in public estimation, and the covetousness of those persons who expected to share in the plunder of their ample possessions, made them listen willingly to the disgraceful stories which were early propagated against them, and readily believed in those times, which did not afford the facilities existing in the present day for ascertaining the truth of such allegations. The unfortunate monks, often, perhaps, deeply wronged, though many of them were doubtless loaded with some just accusations, were driven from their ancient seats, and their magnificent edifices, if the chance of war had not already desolated them, were either demolished by the blind rage of the populace, and the barbarous ignorance of the government, or left to crumble into premature decay."*

If it should be contended that the ignorance alleged to have been fostered by the ancient Hierarchy and ecclesiastics of Scotland induced the people at once to abandon their spiritual pastors, and betake themselves to the self-appointed teachers of the new theological tenets, a perusal of the Kirk-Session Register of Perth will at once refute that argument. Whatever may have been the amount of superstition which prevailed in times when the great mass of the population were utterly illiterate, and many of the Nobility were unable even to read, far less to profess any attainments in writing, it can be proved that the moral condition of Scotland was not, after the

* *Monastic Annals of Teviotdale*, by the Rev. James Morton, B.D., 4to. Edin. 1832, Preface, p. x. xi.

Reformation, renovated by the Presbyterian preachers who succeeded the deposed clergy, or by their self-constituted Kirk-Session functionaries; and though the people were compelled by those local tribunals to submit, under the penalty of fines, imprisonment, and banishment from their native towns for their delinquencies, yet, notwithstanding all this excessive rigour, they were for generations after the Reformation noted for their immorality, superstition, and credulity.* But it is altogether a mistake to assume that the clergy and religious Orders of the ancient Hierarchy neglected the morals of the people. In the early Parliaments many beneficial enactments were ratified, which must have exclusively emanated from the Bishops, Abbots, and Priors, and not from fierce lay Barons whose education was the use of their sword, and whose avocation, during their numerous quarrels, was plundering and murdering, or attempting to murder, each other. To enumerate all those laws is impossible in the limits of the present sketch, but some of them are adduced as specimens of the times before the Reformation. As early as the reign of David I., in the twelfth century, we find the Prelates and Ecclesiastical Dignitaries cooperating in laws entitled “Of the Kyngis proteccioun to puir folk and waik,” or stealing from the destitute or infirm—“Of Wechts to by and sell with”—“Of thaim conveykit of mansuorn.”† If a burgess undertook a pilgrimage to the Holy Land with permission of the Church and of his neighbours, or to St James, or any other shrine, for the welfare of his soul, his house and property were to be in “oure Lord the Kyngis pece and the Bailzies quhil the tym that God bryng hym hame agayne.”‡ It was enacted that the person who was

* The fearful prevalence of the most dreadful and disgusting crimes long after the Reformation is at once ascertained by a perusal of Pitcairn's “Criminal Trials in Scotland,” particularly the reigns of Queen Mary and James VI.; and the ferocity of the national character, while pretending to the utmost purity of religion, was exemplified by the cruelties inflicted and the blood shed by the Presbyterians after the rebellion against Charles I., during the Covenanting reign of terror. See also Nicoll's Diary, printed for the BANNNATYNE CLUB, 4to. Edin. 1836.

† “De proteccione regis concessa pauperibus et debilibus—De ponderibus in emendo et vendendo—De convictis de periurio.”—Assize Regis David, p. 12, *apud* Acts of the Parliament of Scotland, folio, vol. i. 1844.

‡ “De proteccione peregrinancium”—“Leges Quatuor Burgorum,” p. 86, *apud* Acts of the Parliament of Scotland, vol. i.

convicted of perjury or false testimony should never be allowed to be a witness in any cause.*

In the reign of William I. surnamed the Lion, several laws were proposed and enacted to regulate the moral and religious condition of the people. Cattle-stealing was long common in Scotland, and to repress this crime, even in that early period of the national history, it was enjoined that if any man steal cattle, and if he be followed by the hue and cry of the district, and the cattle found in his possession, he was to receive punishment as a notorious thief, and if those who overtook him failed to return the cattle to the proper owner, they were to be treated in a similar manner.† Any man who was convicted of a false charter, if that charter was the King's, was to be punished according to the royal pleasure; and if it was a private charter, the convicted party was not to be permitted to escape without "gret payn of his body."‡ In the royal "assize" held at "Sanct Johnestoun of Perth," on the Tuesday preceding the Feast of All-Hallows A.D. 1184, before "Byschoppis, Abbottis, Erles, Baronis, and all other gude men of his kynryk,"§ it was declared that if a man is accused of theft, and draw another into warrant, the law of David I. was to be enforced, until the King made an "assize thairapon."|| In another "assize" at Perth on St Augustine's Day, 1184, the Bishops and Abbots, with the Earls, Barons, Thaness, and all the community of the "kynryk," were to do justice, and not to shelter thieves, reivers, manslayers, murderers, or trespassers against the law.¶ In this reign, moreover, a curious enactment occurs, intimating that some exceptions to the celibacy of the clergy must have been recognized in Scotland. It is entitled, "Of the fredome of chaplains' sonnys and merchandis," ** and sets forth that "the King and

* *Leges Quatuor Burgorum*, p. 37.

† "De latrone capto cum suo latrocinio"—"Of a theyff takyn wyth the thyft."—*Assise Willelmi*, p. 51, *apud* Acts of the Parliaments of Scotland.

‡ "De falsa carta"—"Of a fals charter."—*Ibid*.

§ *Kynryk* or *kinryke*, a *kingdom*. See the etymology in Dr Jamieson's Dictionary of the Scottish Language, *sub voce*.

|| *Assise Regis Willelmi*, p. 54, *apud* Acts of the Parliaments of Scotland, vol. I. ¶ *Assise Regis Willelmi*, p. 55—*Ibid*.

** "De libertate filiorum capellanorum et mercatorum."—*Assise Regis Willelmi*, p. 53—*Ibid*.

the community of the kingdom have statute that the *son of a chaplain* shall answer as a freeman as long as his father is of life, that is to say, till all freedom, but after the death of the father the son shall purchase his freedom; and the like case is of the sons of merchants, only if after the death of their father they be merchants." In reference to the ecclesiastics, it is "statute that Kirkmen live honestly of the fruits and profits of their kirks, and shall not be husbandmen, shepherds, or merchants."* It is also "statute by King William at Scone, with common consent and deliberation of Prelates, Earls, Barons, and Freeholders, that the Holy Kirk of Scotland, and the true religion, and all the clergy, shall be maintained, with all their rights, liberties, and privileges, in quietness, peace, and at all times under the King's protection."†

Several salutary laws were enacted by Alexander II., the son and successor of William the Lion, whose reign extended from the 4th of December 1214 to the 8th of July 1249. Those statutes were respectively sanctioned at Scone, Perth, Stirling, and other places.‡ Passing the reign of Alexander III. which began on the 8th of July 1249, and terminated on the 16th of March 1285-6—that of Margaret, subsequently mentioned, which continued from the 16th of March 1285-6 to September 1290—and the nominal reign of John Baliol from the 17th of November 1292 to the 2d of July 1296, we come to his successor Robert Bruce, who obtained the Scottish crown on the 27th of March 1306, though his stability on the throne was not secured till the victory at Bannockburn on the 24th of June 1314. About four years afterwards, in 1318, among the statutes of Robert I. one enjoins that the "Haly Kirk of Scotland shall be maintained in peace, with all rights and freedoms, and that the haly religion be maintained and kept from all oppressions and grievances done to it in time bygone, for the quhilk the King wills and enjoins that none from henceforth harbourin the Abbeyes nor in the granges of Religious Men or

* "*De vita et honestate clericorum*"—"Of the life and honeste of clerkes."
—*Assise Regis Willelmi*, p. 60—Ibid.

† "*De libertate ecclesie*"—"Of the fredome of Haly Kirk."—*Assise Regis Willelmi*, p. 60—Ibid.

‡ "*Statuta Alexandri Regis Filii Willelmi Regis*"—"The Lawys made be the Kyng Alysandir the Kyng Willamis Sone," p. 68-80, *apud* Acts of the Parliaments of Scotland, vol. i.

of Kirkmen to (the) destruction of them or their goods.”* A laconic enactment follows—“The King wills and commands that common law and right be done to poor and rich, after the old laws and freedoms before these times righteously used and enforced.” The Acts for the social and moral improvement of the kingdom in this and the reigns of Robert II. and Robert III. are numerous, and evince an intelligence which must have chiefly originated with the dignitaries of the ancient Hierarchy. It is only to be regretted that the turbulence of the Nobility, and those who exercised the pernicious hereditary jurisdictions both in the Lowlands and Highlands, encouraged the people to the most disgraceful excesses in violation of every prudent regulation. The lawless ferocity of those leaders was too powerful even for the Church to restrain, and Scotland was for centuries the most wretchedly governed country in Europe. The fate of James I., whose education during his captivity in England had been carefully superintended, and the career of his successors, lamentably illustrate the miserable condition of the kingdom.

The period from the accession of James I. on the 4th of April 1406, to the deposition of Queen Mary, and the coronation of the infant sovereign James VI. on the 24th of July 1567, includes the reigns of James I., James II., James III., James IV., James V., and Queen Mary, extending to one hundred and sixty-one years. It is well known that, though the religious system violently introduced by John Knox received a kind of authoritative sanction in the so called Parliament or Convention of 1560, the legality of which Queen Mary never recognized, it was not till 1567, after her deposition, that the ancient Hierarchy was completely subverted in the Regent Moray's Parliament, and the new doctrines and polity were sanctioned as the Reformed Establishment of religion. The Acts of the Scottish Parliaments, consequently, from the accession of James I. to the coronation of James VI. in 1567, are of peculiar interest, because they develop the manners and customs of the times, the moral and political condition of the people, and the intentions or objects of those by whom

* *Acta Parliamentorum Roberti I.*, p. 107, *apud* Acts of the Parliaments of Scotland, vol. i.

they were proposed. Those Acts, without referring to previous collections and abstracts, were printed by command of George III., in pursuance of an address of the House of Commons, in 1814.* It is only from a careful perusal of those records,

* *Acta Parliamentorum Scotorum*, from 1424 to 1567, vol. ii. folio, printed under the superintendence of Thomas Thomson, Esq., Principal Clerk of Session. The first volume was not published till 1844, under the superintendence of Mr Thomson and of Cosmo Innes, Esq. Sheriff of Moray, in 1846 appointed Professor of History in the University of Edinburgh. This first volume, which completes the eleven folio volumes of the Acts of the Parliaments of Scotland, commences with the date 1124, and extends to the year 1423, including the "*Assise Regis David*," whose reign extended from the 27th of April 1124 to the 24th of May 1153; the one hundred and nineteen laws of the burghs of Scotland, the "*Acta Regis Malcolmi IV.*," who succeeded his grandfather David I. on the 24th of May 1153, and reigned till his death on the 9th of December 1165; the "*Assise Willelmi Regis*," or William the Lion, who succeeded his brother Malcolm IV. on that date, and died on the 4th of December 1214; the "*Statuta*" of his son and successor Alexander II., who reigned from the 4th of December 1214 to the 8th of July 1249; the Acts of his only son and successor Alexander III., who reigned from the 8th of July 1249 to the 16th of March 1285-6; the "*Statuta Gilde*," or fifty-one "*Laws of the Gilde*;" the "*Acta Parliamentorum Margarete Regine*," the granddaughter of Alexander III., commonly called the *Maid of Norway*, whose reign was only from the 16th of March 1285-6 to September 1290; the "*Placita in Parliamentis Domini Regis Johannis*," or John Balliol, whose nominal reign commenced on the 17th of November 1292, and ceased on the 2d of July 1296; the Acts of the Parliaments of Robert Bruce, who obtained the Scottish crown on the 27th of March 1306, and died on the 7th of June 1329; those of his son David II., who ascended the throne on that date, and died on the 22d of February 1370-1; the Acts of the Parliaments of Robert II., who reigned from that date till the 19th of April 1390; of Robert III., who reigned from that date till the 4th of April 1406; and the "*Acta Parliamentorum Gubernatorum Scotie Jacobo I. Regi*," whose reign commenced on the 4th of April 1406, and was terminated by his murder at Perth on the 21st of February 1436-7. Those collections, however, are merely those public documents which have been preserved. Appended are the "*Regiam Majestatem*," in four Books; the "*Liber de Attachiamentis*, aliter dictus *Leges Baronum*," or "*Laws of the Barons*," consisting of sixty-one Acts; the "*Leges inter Brettos et Scotos*," or "*Capitula quedam Legum et Consuetudinum Scotie Vetustiora*;" the "*Constitutiones Nune pro Burgensibus a Rege Willelmo*;" the "*Assisa de Tolloneis*," or "*Parva Custuma que dicitur le Tol*," enacted at Newcastle-upon-Tyne by David I.; the "*Assise Panis Vini et Cervisie*," or the "*Assize of Bread, Wine, and Aill*;" "*De Articulis inquirendis in Burgo in Itinere Camerarii secundum Usum Scocie*;" the "*Capitula Legum et Consuetudinum Scotie Ævo recentiore condita*;" the "*Leges Forestarum*," or the "*Forest Lawis*;" the "*Modus procedendi in Itinere Camerarii infra Regnum Scocie*;" the "*Leges Malcolmi Makkenneth*;" the "*Statutis and Use of Merchis*;" and the "*Fragmenta quedam Veterum*

and of those few productions of contemporary writers which are extant, that an accurate opinion can be formed of the religious state of Scotland, and the habits, customs, and peculiarities of the people, before and after the Reformation, and not from the opinions of men whose prejudices were inveterate, who were the blinded partizans of the humanly devised system which they advocated, and who were more bigoted and exclusive in their own notions than those whom they denounced with all the fury of malignant rancour.

While, therefore, the Presbyterians most erroneously assert that the ecclesiastics of the Scottish Roman Catholic Hierarchy encouraged ignorance and superstition, it is absurd to conclude that those of Perth were in any respect inferior to their brethren in other towns, and belonging to similiar religious foundations. No great degree of intelligence could be expected in a country such as Scotland was at the introduction of the new doctrines. Long after that event the mass of the people were illiterate, the printing press was unknown, the roads, if they deserve to be so called, were wretched, no travelling conveyances existed, and the communication between the towns was exceedingly limited. This was the state of affairs to an extraordinary extent during the whole of the seventeenth and the half of the eighteenth centuries; for upwards of forty years after the Union the country and the people were completely neglected; and it was not till after the suppression of the Enterprise of 1745, when the attention of the Government was seriously turned to the condition of Scotland, that those improvements commenced which have made the northern portion of Great Britain the theme of the admiration of every traveller. The inveterate religious contentions and rebellions which succeeded the Reformation, and continued during almost the whole of the following century, were most serious obstacles to the amelioration of the people and the developement of the resources of the kingdom. The fanaticism and violence of the Solemn League and Covenant contributed to retard the spread of knowledge. Such was the bigotry of the peasantry even

Legum et Consuetudinum Scotiæ undique Collecta." The whole is preceded by an elaborate Preface, and a variety of interesting documents, tables, and other memorials of ancient Scottish history.

in the eighteenth century, that the Covenant was venerated in several districts as much as if it had been actually a divine revelation. It is stated of the people of Ayrshire, for example, by a most competent authority—"The generality of the tenants were altogether ignorant of the fundamental principles of agriculture, and of the laws of nature on which those principles were founded. Information on these subjects was not then relished. An extensive acquaintance with the mysterious, abstruse, and disputed points of systematic divinity was the species of knowledge generally sought after, and to which the greatest fame was attached. The people had been taken from the plough, and other peaceful labours of the field, to assist the Reformers in demolishing churches and hunting down the Popish clergy, who were the best farmers then in Scotland, and it was not till near the end of the eighteenth century that they returned to their proper occupation. Their ambition was not to improve the soil, but to reform the Church; not to destroy weeds and brambles, but to root out heresy; not to break up the stubborn soil, but to tread down the Whore of Babylon and the Man of Sin.—The selling of meal by the weight instead of measure was, when first introduced, considered a dreadful schism, and the introduction of winnowing machines was *testified against* from some of the pulpits under the denomination of the *Deil's wind*."*

Some of the Presbyterian successors of the ancient ecclesiastics were remarkable men in their day, and not deficient in learning, but they were altogether influenced by the novelties they supported. The sermons of the leading preachers were very often political, full of invective and personal abuse. In their zeal for their favourite "Policy," and their feuds with the Titular Bishops, and the Episcopal function in general, they neglected the weightier matter—the instruction of the people in really useful religious and practical knowledge, preferring abstract brawlings and discussions in their General Assemblies. A perusal of the Acts of the Scottish Parliaments and of the Criminal Records during the reign of James VI. discloses the fact that the morals of the people after the Reformation were dreadfully corrupted and depraved; and the discipline of the

* General View of the Agriculture of the County of Ayr, by William Aiton, 8vo. Glasgow 1811, p. 74, 75, 77.

Presbyterian system accomplished little to remedy the wretched enormities which prevailed. The credulity of the Presbyterian preachers, in believing every story connected with witchcraft, alleged diabolical agency, miraculous cures, providential visitations, and wonderful incidents, is another peculiarity in their career. We have an eminent specimen of them in the historian Mr Robert Wodrow, who died Minister of Eastwood in 1734. The four volumes of his *ANALECTA*, presented to the *MAITLAND CLUB* by George fourth Earl of Glasgow, consist of traditionary anecdotes of noted preachers and other saints, and contain many most outrageous, absurd, indecent, and improbable gossiping incidents which the simple Wodrow religiously believed, but which a well directed and properly educated mind would have rejected as utterly impossible to have occurred. It is also difficult to ascertain the true state of affairs from that party who, considering their legal and authoritative position, must have wielded great local influence. The clergy of the Episcopal Church were generally in advance of their Presbyterian enemies, who eagerly embraced every opportunity of inciting the ignorant peasantry against them, traducing their character, and accusing them of every crime possible for depraved human nature to devise and commit. All this was readily believed, and the Scottish Bishops and clergy were in the hard condition of those who were already prejudged and condemned by fanaticism, their sentiments and actions studiously perverted, and a hatred against them engendered, which had the most direful influence on the nation.

If it should be objected to some of the Extracts from the Kirk-Session Register of Perth, that they are scarcely fit for the public eye, it ought to be remembered that if we wish to ascertain the moral condition of former generations we must grapple with such details, however revolting and disgusting, as illustrating the state and feeling of the times. It is to be observed, moreover, that these Extracts are modesty itself when compared to the dreadful obscenities and immoralities which the pious Wodrow thought proper to amuse himself by collecting, and now printed as his *ANALECTA*. But licentious perversions of the Scriptures seem to have been the frailty of the Covenanting Presbyterians. Even the familiar letters of the great "Flower of the Kirk," Mr Samuel Rutherford, to

his female acquaintances, are not particularly fastidious, and the scribbler of such miserable trash would be viewed at the present day as either guilty of gross profanity, or as, which he probably was, insane.

It is not the intention of the present writer to lay before the reader a regularly prepared history of Perth, probably the most ancient town in Scotland. St Andrews, Dunkeld, Glasgow, Whithorn, and some other seats of the Scottish Episcopate, are coeval with the introduction of Christianity into the kingdom; but in the case of the "Fair City," tradition carries us to the period when Agricola and Lollius Urbicus displayed the imperial eagles, and founded the town as a Roman station. We are reminded of the exclamation of the Roman soldiers at the romantic locality known as the Wicks of Baiglie, about seven miles from Perth, on the old road to Edinburgh, when the valley of the Tay, traversed by its ample stream, opened upon the legions—"Behold the Tiber! Behold the Campus Martius!" But, as it is finely asked, where is the Scot who would "hail the puny Tiber for the Tay?" The Hills of Moncrieff and Kinnoull, the surrounding mountains, and the distant views of the huge Grampians, form a view unrivalled in any part of Britain. The history of Perth up to the sixteenth century is inseparably connected with that of the kingdom, and though the "Fair City" received its first charter as a royal burgh from William the Lion in 1210, it had civic privileges nearly a century earlier, for in the charter of confirmation by James VI. one granted by David I. in 1153 is specified. Till 1482, when James III. publicly removed the seat of government to Edinburgh, Perth was the metropolis of Scotland. The "Fair City" was also very early fortified, which its central situation and its proximity to the Highlands rendered indispensable. The castles of several powerful Barons were in the immediate vicinity, with some of whom the citizens were occasionally at feud, while with others, such as the Earl of Atholl, the Lords Ruthven afterwards Earls of Gowrie, Charteris of Kinfauns, and Thriepland of Fingask, they were often on such amicable terms as to have one of them repeatedly for their Provost. The ancient burgesses of Perth, as appears from their own amusing records of their alternate quarrels and fraternizings with their powerful neighbours, often sallied out,

and damaged their castles, when their vassals, as a punishment for some real or pretended offences, were not allowed to carry provisions to the city. But the hereditary animosity and jealousy which for centuries existed between the citizens of Perth and Dundee is most remarkable. Those feuds evince an intensity of hatred seldom carried to such an extent in any district, and many ludicrous anecdotes are still preserved of this singular dislike.

The place of meeting of the early Parliaments of Scotland is not recorded, but little doubt exists that Perth and the adjoining Palace of Scone were often the scenes of those assemblies. In 1114-5, Alexander I. held a Convention, in which he refounded the Abbey of Scone, in presence and with consent of his Queen, Alexander — "*nepos regis*" — two Bishops, and six or perhaps seven Earls, and others. His great-grandson Malcolm IV. was crowned at Scone in 1153, before a great assemblage of the people; and in 1160 the same monarch convened a National Council at Perth, occasioned, it is said, by a confederacy of six Earls against him,* where, it is conjectured, the marriages of the Princesses Margaret and Ada, his sisters, were arranged; at least in 1161 Margaret was united to Conan Count of Brittany, and Ada to Florence Count of Holland.† In 1166-7, upwards of one year after his coronation at Scone, William the Lion, the brother of Malcolm IV., held an Assembly at Perth, in which was decided a controversy, in presence of the King, the Bishops, and many distinguished persons, between the churches of Durham and Croyland. On the 30th of October 1184, the Tuesday before the Feast of All-Hallows, in the same reign, another Assembly was convened at Perth, in which the King held an assize in presence of the Bishops, Abbots, Priors, Earls, Barons, and others.

Alexander II., the founder of the Monastery of the Black Friars or Dominicans, who succeeded his father William when in the seventeenth year of his age, and was crowned at Scone

* Lord Hailes says — "Ferquhard Earl of Strathearn, and five other Earls, conspired to seize the person of their Sovereign. They assaulted the tower in which he had sought refuge, but were repulsed. The clergy judiciously interposed, and wrought a speedy reconciliation between the King and his people." — *Annals of Scotland*, 4to. vol. i. p. 106.

† Lord Hailes' *Annals*, vol. i. p. 107.

on the 5th of December 1214, convened an Assembly at Perth on the 27th of February 1230. During this reign, in 1242, a General Council of the Church was held at Perth, which was attended by the King, and his Earls and Barons, and the Code of Canons then enacted were ratified. Alexander II. was succeeded on the 8th of July 1249 by his son Alexander III., then in his eighth year, who was crowned at Scone on Tuesday the 13th of that month. In 1265, this monarch held an Assembly at Perth, to receive an envoy from Magnus King of Norway,* and on the 2d of July the following year another Assembly was convened by the King in the same town, in which the disputes with Norway were adjusted by the King, and after long negotiations it was agreed that Norway should cede to Scotland all right over the Hebrides and Man, and generally over all the Western Islands, including also the southern islands, excepting those of Orkney and Shetland, and the King and the Estates of Scotland obliged themselves to deliver at the Cathedral of St Magnus in Kirkwall, the sum of 4000 merks sterling of the Roman standard, in four annual payments of 1000 merks each, and an yearly quit-rent of 100 merks sterling for ever, under the penalty of 10,000 merks to be exacted by the Pope.† On the 5th of February 1283-4, in a Parliament held at Scone, the King and the Estates settled the succession to the Crown in favour of the infant Princess Margaret, called the *Maid of Norway*, daughter of Eric King of Norway and Margaret the daughter of Alexander III. This was the more necessary, as Queen Margaret, who was the daughter of Guy Earl of Flanders, died in 1283, two years after her marriage to Alexander the Prince of Scotland, who died on the 28th of January 1283-4. On the 10th of April 1285 another Assembly was held at Scone, within twelve months of the death of Alexander III., which occurred on the 16th of March 1285-6, when he was thrown over a precipice while riding in the dusk betwixt Burntisland and Kinghorn, and was killed on the spot.

The death of the infant Queen Margaret in Orkney about the end of September 1292, while on her passage to Scotland,

* Acts of the Parliaments of Scotland, folio, vol. i. p. 61.

† Lord Hailes' Annals of Scotland, vol. i. p. 177, 178.

occasioned an interregnum from that year till the coronation of Robert Bruce at Scone on the 27th of March 1306. In the meantime John Baliol was crowned at Scone on St Andrew's Day 1292, and rendered homage to Edward I. of England for the Kingdom of Scotland on the ensuing 26th of December at Newcastle-upon-Tyne. Baliol held a Parliament at Scone on the 9th of February 1292-3. On the 2d of July 1296 the brief and nominal reign of Baliol was terminated by Edward I., who compelled him to resign the kingdom to himself as his sovereign liege, and detained him a prisoner three years. It was in this year, when returning from his invasion of the North of Scotland, that Edward I. caused the famous coronation stone to be removed from Scone to Westminster, and the English carried off some charters belonging to that Abbey, and destroyed the seals of others. In 1297 Sir William Wallace commenced his successful efforts against the English forces in Scotland, and some of his adventures are connected with the vicinity of Perth, particularly with Elcho Castle, about a mile below the remains of the Nunnery of Elcho, at the north-east corner of which a remarkable yew-tree has been long known as *Wallace's Yew*. In 1298, Wallace, elated by his successes, assumed the title of "Governor of Scotland, in name of King John, and by the consent of the Scottish nation;" but, perceiving that he was not supported by the Nobility, and that his elevation occasioned bitter jealousy and envy, he resigned the office after the battle of Falkirk that year, and a regency was formed in 1299, consisting of John Comyn of Badenoch, the younger, and John de Soulis, to whom were afterwards added Bruce, then Earl of Carrick, and William Lamberton, Bishop of St Andrews. On the 23d of February 1301-2 an Assembly was held at Scone, in which was produced a letter from the Guardians, as the Regents were designated, of Scotland, the Prelates, Earls, and Barons, and whole community of the kingdom, to Philip le Bel, King of France, regarding the observance of a truce.

On the 9th of July 1321 King Robert Bruce, who in 1310, after a foray into England, had besieged the "Fair City," and entered it by scaling the walls sword in hand, held a Parliament at Perth, and others were held at Scone on the 25th of

July 1323, on the 28th of March 1325, and on the 26th of March 1326. Robert I. died on the 7th of June 1329, and was succeeded by his son David II., then in the seventh year of his age. Randolph Earl of Moray became Regent, and on the 29th of March 1330 a Parliament was held at Perth. On the 8th of November 1331, a Parliament met at Scone, and on the 2d of August 1332 another was convened at Perth in which Donald Earl of Mar was elected Regent at the death of the Earl of Moray; but he enjoyed his high office a very short time, as he was slain at the battle of Duplin on the 12th of August that year, when Edward Baliol and an English force attempted to overrun the kingdom, and the day after his victory took possession of Perth, the ditch of which he ordered to be cleared, and the town to be inclosed with pallisadoes, to resist an anticipated attack of the Earl of March. Baliol was crowned at Scone on the 24th of September, in presence of a multitude of people from Fife and the lower country of Perthshire, Duncan Earl of Fife, and William Sinclair Bishop of Dunkeld, assisting at the ceremonial. Immediately afterwards Edward Baliol retired to the South of Scotland, leaving the Earl of Fife in possession of Perth; but on the 7th of October the "Fair City" was surprised, its fortifications razed, and the Earl of Fife, his family and vassals, made prisoners, though the English historians allege that he betrayed the town. Another Parliament was held at Perth on the 24th of October 1339, and on the 17th of September 1341 one met at Scone, where a contribution was imposed. A Parliament was again held at Scone on the 8th of June 1344, in which the right of the Bishop of Aberdeen to the second tythes of Aberdeen and Banff were confirmed, and the King ratified the tithes in Forfarshire to the Priory of Restennet. On the 17th of January 1356, a Council was convened at Perth, when ambassadors were appointed to treat with the English for the liberation of David II., who in 1346 had been taken prisoner in the unfortunate battle fought at Nevil's Cross, near Durham, on the 17th of October 1346.* The King ratified this treaty

* Lord Hailes says that in this Parliament William Landales, Bishop of St Andrews, Patrick de Leuchars, Bishop of Brechin, Sir William Livingstone, Lord Chancellor, and Sir Robert Erskine, afterwards Lord Chamberlain, were

in a Council held at Scone on the 6th of November 1357. A Parliament met at the same place on the 12th of November 1358, in which David II. confirmed a charter by the Earl of Mar to Sir Robert Erskine of Pitrodie in the Aberdeenshire district of Garioch. In a Parliament held at Scone on the 3d of October 1359, the King granted charters to the Abbey of Arbroath, and to St Mary's Chapel at Inverness.

On the 12th of April 1360 we find a Council held at Perth, in which the King ordered payment of the second tithes to the Bishop of Aberdeen. It is already seen that Scone had its due share of those meetings, and on the 4th of March 1363, a Parliament was convened there, in which David II. proposed to the three Estates that, in the event of his decease without issue, they should chose as their sovereign one of the sons of Edward III., earnestly recommending Lionel Duke of Clarence as a Prince able to maintain the national liberties, and as the means of securing permanent tranquillity. The Estates unanimously rejected the advice, declaring that by act of settlement and solemn oaths in the reign of Robert Bruce, the High Steward had been acknowledged presumptive heir to the Crown, and they authorized the summoning of a Parliament without the legal warning of forty days. On the 11th of January 1364 a Council was held at Perth, in which David II. granted the lands of Gask and others to Walter Oliphant; and on the 24th of July and 5th of December 1365 Councils were again held at Perth, in the former of which the Bishops, Nobility—" *et multi alii*"—bound themselves by an oath to certain conditions of peace with England, and in the latter it was enacted that a tron for weighing wool should be placed in every royal burgh. On the 20th of July 1366, the 27th of September 1367, and the 12th of June 1368, Parliaments were convened at Scone—that of 1367 held by persons elected for that purpose, and that of 1368 for the preservation of domestic tranquillity, and imposing a tax on wool, hides, appointed Commissioners to treat for the ransom of the King, and for peace between the two nations. This commission was sealed by the High Steward of Scotland, as Regent, the Earls of March and Angus, Sir William Keith, Knight Marischal, for the Nobility, and with the common seals of the burghs of Perth, Dundee, Edinburgh, and Aberdeen, as representing the community. —Annals of Scotland, vol. ii. p. 241.

sheep, and marts.* On the 9th of December this latter year the King, in a Council held at Perth, confirmed the Barony of Cadzow to David Fitzwalter. A Parliament was also held at Perth by certain persons elected for that purpose† on the 6th of March 1368–9, when two committees were appointed for specified objects, arrangements were made for quieting the Highlands and Islands, and the truce with England was prolonged. On the 18th of February 1369, and on the 23d of October 1370, Parliaments were held at Perth. This latter year was the termination of the reign of David II., who died in the Castle of Edinburgh on the 22d of February 1370–I, in the forty-seventh year of his age, and the forty-second of his reign.

Robert, the High Steward of Scotland, succeeded his uncle David II. as Robert II. On the 26th of March 1371, a Parliament or great Convention was held at Scone, in which the King was crowned in presence of the Bishops, Earls, Barons, and an immense concourse of persons from all parts of the kingdom. The Nobility did homage, and swore fealty to the King, and the succession was settled in favour of his son John Earl of Carrick. Parliaments were held at Scone on the 4th of April 1373, and the 19th of October 1378; a General Council at Perth on the 6th of June 1382; and Parliaments again at Scone on the 22d of October that year, and on the 29th of March 1389, in which latter meeting enactments were passed regulating the internal government of the kingdom.

Robert II. died on the 19th of April 1390, and was succeeded by his son John Earl of Carrick, who assumed the title of Robert III. On the 14th of August a Parliament was held at Scone, and the King and the Queen—Annabella, daughter of Sir John Drummond, Knight—were crowned; and on the 7th of March 1390–1, a Parliament was again held at Scone, in which the annual sum of 2500 merks was voted to the

* A *mart* or *mairt* is a fattened cow or ox killed about Martinmas for winter provisions.

† The others, it is stated, were allowed to return home—"propter importunitatem et caritatem temporis."—Acts of the Parliaments of Scotland, vol. i. p. 67.

Queen out of the great customs of the burgh. A General Council was convened at Perth on the 26th of March 1392, and another on the 24th of October 1393, in which were sanctioned certain enactments in reference to the national money. On the 8th of March 1393-4, a Parliament again met at Scone, and on the 22d of April 1398 and the 27th of January 1398-9, General Councils* were held at Perth. In the former, on the 28th of April, at Scone, Robert III. created his eldest son David, Duke of Rothesay; his brother Robert, Earl of Fife and Menteith, was created Duke of Albany, and Sir David Lindsay was created Earl of Crawford; after which Divine Service was performed in St John's Church by Walter Trail, Bishop of St Andrews. In the latter were passed "Actis upon sundry poyntes touchande our Lorde the King and the Estate of his Reaulme." On the 21st of February 1400, a Parliament was held at Scone, and this was followed by a General Council at Edinburgh on 16th May 1402, in which the King, then aged and infirm, and never at any time a monarch of vigour and alacrity, granted a remission to his brother the Duke of Albany and to the Earl of Douglas for the death of his son and heir-apparent, the Duke of Rothesay.†

The imbecility of Robert III. had permitted the government to be assumed by the Duke of Albany, who meditated a transference of the crown to his own family, and it is not likely that the murderer of the Duke of Rothesay would scruple at any desperate measure to aid his project, more especially when the only intervening obstacle was Prince James, a boy eight years of age, the third son of Robert III. by his Queen Annabella, born at the unusual period of thirty-seven years after their marriage. Robert III., for the express purpose of securing the young prince from the designs of Albany, resolved to send him to the Court of Charles IV. of France, where his personal safety would be certain, and his education better superintended, than could possibly be at the

* Sir James Balfour designates those Councils at Perth as Parliaments.—*Annals of Scotland*, vol. i. p. 137.

† This tragedy, of which a dungeon in Falkland Palace was the scene, is introduced with powerful effect, and the active perpetrators of it delineated, by Sir Walter Scott, in *THE FAIR MAID OF PERTH*.

time in Scotland. The embarkation of the prince under the guidance of Henry St Clair, second Earl of Orkney, at the Bass Rock in 1405, his capture off the coast of Norfolk, and his long detention in England as a prisoner by Henry IV. and Henry V., are matters of history unnecessary to be here repeated. When Robert III. was informed in Rothesay Castle that his only surviving son and heir had fallen into the hands of the English, he expired a few hours afterwards, on Palm Sunday, the 4th of April 1406, in the sixteenth year of his reign.

It was in the reign of Robert III. that the celebrated conflict was fought on the North Inch of Perth, which was witnessed by that Monarch from the balconies of the Gilten Arbour in the garden of the Dominican Monastery, on the ground now occupied by the elegant houses forming Atholl Place, the Crescent, and Rose Terrace. The combatants were the Clan Chattan and the Clan Kay, the former of whom were Mackintoshes, but it is not agreed who were the Clan Kay. The conflict was conducted on the principle of that of the Horatii and Curiatii in Roman history, and is the more interesting because it is minutely described by Sir Walter Scott in the story of the "*FAIR MAID OF PERTH.*" Thirty combatants were selected from the hostile Clans, and the scene was altogether remarkable, without the exaggerations of Boece and Lesley, or the speeches which Buchanan makes the contending savages to utter after the most approved style and manner of Livy. The gallantry of Henry Wynd, the hero of Sir Walter Scott's story, or *Hal of the Wynd*, still popularly called the *Gow Chrom*, or the *Bandy-legged Smith of St Johnstown*, a tradesman of Perth, who for half a French dollar of gold volunteered to supply the place of an absent Macintosh, originated the old proverb still extant — "*He comes in for his ain hand as Henry Wynd fought.*" Victory declared in favour of Hal of the Wynd and the Clan Chattan, of whom nineteen fell, and most of the survivors were severely wounded. Twenty-nine of the Clan Kay lay dead on the Inch, and the survivor, who, strange to say, was unhurt, forced his way through the spectators, threw himself into the Tay, and escaped by swimming to the other side. The chanter of one of the bagpipes which then sent forth its pibrochs is still preserved in the family of Cluny Macpherson, a distinguished Highland

Chief, and this ancient trophy is known as the *Federan Dhu*, or *Black Chanter*. Long before and after the time of this conflict, the North and South Inches were the scenes of frequent combats, but the rencontre of the Clan Chattan and Clan Kay is the most celebrated.

: One of the first Acts of the Legislature, in the peculiar circumstances of the kingdom at the accession of James I., was a Council of the Estates at Perth in June 1406, in which the youthful sovereign was recognized, and Albany was appointed Governor of Scotland. In 1409, a General Council was held at Perth, in which the expense of destroying the walls of Jedburgh was ordered to be paid out of the King's customs. In another General Council held at Perth on the 17th of March 1415, the charters of release of all claims of sovereignty over Scotland by Edward III. were enjoined to be transcribed in a public and authenticated form to be preserved in future times. A General Council was held at Perth on the 26th of June 1417, in which Albany granted a precept connected with the second tithes of the Bishop of Aberdeen; and on the 2d and 3d of October that year another General Council was convened in the "Fair City," in which it was resolved that the Scottish Church should adhere to Pope Martin V. in the Papal schism.* The last General Council held in Perth before the return of James I. from captivity was in 1419, in which the three Estates consented to the sending of auxiliaries to France.† This was to assist the French in repelling the efforts of Henry V. of England to obtain the

* This great schism was occasioned by John XXIII., Gregory XII., and Benedict XIII., each claiming the rank and office of Sovereign Pontiff. The Council of Constance was assembled in 1414, at the request of the Emperor Sigismund, to put an end to the schism. The Council deposed all the three, and elected Otto Colonna, a Roman, to the Pontifical Chair, which he ascended by the title of Martin V. To this decision John XXIII. (Cardinal Cossa) willingly submitted, as did also Gregory XII. after some demurring, but Benedict XIII. continued the schism in Spain till his death. A canon or decree was passed by this Council, asserting the supremacy of a General Council over the Pope. This was the Council which also condemned John Huss and Jerome of Prague, whose fate is well known.

† The preceding abstracts of the General Councils and Parliaments held at Perth and its adjunct the Abbey of Scone, are from the List in the "Acts of the Parliaments of Scotland," vol. i. p. 55-71.

sovereignty of France. Thither a numerous party of Scottish Knights and their retainers proceeded, under the command of the Earl of Buchan, the second son of Albany.

The Duke of Albany died about this time, and he was succeeded by his eldest son Murdoch as Governor, who was as weak as his father had been energetic and unprincipled. At length the time arrived when James I. was to be restored to his kingdom, and on the 19th of August 1423 a General Council was held at Inverkeithing, where ambassadors were appointed to treat for his release.* After much delay and discussion on both sides, the freedom of the King was finally adjusted at London on the 9th of March 1423-4, and among other securities for the stipulated ransom the burghs of Perth, Dundee, Aberdeen, and Edinburgh were tendered and accepted. Previous to leaving England, James I. married Joanna, daughter of the Duchess of Clarence, niece of Richard II., by her first husband John Duke of Somerset, fourth son of John of Gaunt, Duke of Lancaster, and grandson of Edward III. To this lady he had been long attached, and she is the theme of several of the poetical effusions ascribed to him, especially his elaborate production the "King's Quair." The marriage ceremony was performed in the church of St Mary-Overy in Southwark, and all which the King received as dowry with his bride was a discharge of L.10,000 of his ransom money.

James I., who was in the thirtieth year of his age when he was restored to liberty, proceeded first to Edinburgh, where he celebrated the Festival of Easter; and he afterwards went to Scone, accompanied by his Queen, where they were both crowned with great solemnity, Murdoch, Duke of Albany, as Earl of Fife, performing the ceremony of installation. Immediately after the coronation a Parliament was convened at Perth on the 26th of May 1424,† and the proceedings sufficiently

* The Commissioners are thus enumerated in the record — "William Bishop of Glasgow, Lord Chancellor, George Earl of March, James Douglas of Balvene, the Abbots of Cambuskenneth and Balmerino, Patrick Dunbar of Biel, Sir Robert Lauder of Edrington, George Borthwick, Archdeacon of Glasgow, and Patrick Houston, Licentiate in Canon Law at Glasgow.— Acts of the Parliaments of Scotland, vol. i. p. 227.

† Acta Parl. Scot. folio, vol. ii. p. 3.

intimated a vigorous reign, a resolution to suppress the prevailing fraud and rapine of the preceding regencies, in conformity with the alleged exclamation of the King immediately after his arrival, when informed of the prevailing disorders—"By the help of God, though I should myself lead the life of a dog, I shall make the key keep the castle, and the bush secure the cow." The next Parliaments held at Perth were on the 12th of March 1424-5, the 11th of March 1425-6, the 30th of September 1426, and the 1st of July 1427.* This last was followed by a General Council at Perth on the 1st of March 1427 and the 12th of July 1428,† in which latter the King prudently strengthened his alliance with France by betrothing his eldest daughter Marjory to the Dauphin, afterwards Louis XI., when both were mere infants, though the nuptials were not celebrated till 1436, the Dauphin having then attained the age of thirteen, and the Princess her twelfth year. This marriage, however, proved most unhappy; the Dauphin was a personage of the worst dispositions, continually surrounded and easily persuaded by most unprincipled men; and the Princess, nine years after her marriage and six years after the murder of her royal father, expired of a broken heart, occasioned by false accusations against her conjugal fidelity.

With the exception of a Parliament held at Stirling on the 1st of March 1433-4, and a General Council at Edinburgh on the 22d of October 1436, all the subsequent Parliaments of James I. were assembled in Perth. Those were—a Parliament on the 26th of April 1429, which was continued to the 6th of March 1429-30; a Parliament on the 30th of January 1431, which was continued till the 16th of October; a Parliament on the 27th of May 1432; and a Parliament on the 10th of January 1434-5.‡ During this and the preceding reigns Perth was considered the capital of the kingdom, the favourite abode of the sovereigns, and the place where the Parliaments and General Councils were most frequently convened. But although Edinburgh was not finally constituted the Scottish metropolis till the reign of James III., an event occurred

* Acta Parl. Scot. folio, vol. ii. p. 9, 13, 14.

† Acta Parl. Scot. folio, vol. ii. p. 15, 17.

‡ Acta Parl. Scot. folio, vol. ii. p. 17, 19, 20, 22.

which deprived the "Fair City" of its advantages as a seat of royalty. This was the murder of James I., under circumstances of peculiar atrocity, by Walter Stewart, Earl of Atholl,* Sir Robert Graham, and other inferior conspirators, in the Dominican Monastery at Perth, on the night of the first Wednesday of Lent, or between the 20th and 21st of February 1436-7, according to some authorities, which is believed to be the accurate date, and, according to others, the night of the second Wednesday of Lent, or the 28th of that month. The contriver of this conspiracy against James I. was Sir Robert Graham, and one of his objects was to elevate Sir Robert Stewart, the grandson of the Earl of Atholl, to the crown. Sir Robert Stewart was concerned in it, but the Earl of Atholl solemnly asserted his innocence in the presence of the Bishop of Urbino, the Papal Legate, and declared that when his grandson proposed the conspiracy, he endeavoured to dissuade him from it as a wild and dangerous attempt. This did not save him from decapitation at Edinburgh in April 1437, and the circumstance that he was at Perth on the night of the murder confirmed the suspicions of his judges. His grandson was executed at Edinburgh after enduring the most cruel tortures which could be devised, and the other conspirators were also put to death.

This sad event alarmed the Government, and proved that Perth, from its vicinity to the Highlands, could no longer be considered as a secure residence for the sovereign. The Estates were in consequence seldom assembled in subsequent times in the Fair City. In the reign of James II. a General Council was held in Perth during the month of March 1441, in which an order was issued for the support of the altar of St Ninian in the church of the Carmelites or White Friars of Perth.† A Parliament convened in the town on the 14th of June 1445.‡ Another General Council was held at Perth on the 4th of May 1450, in which was ratified the charter of foundation of the Carthusian Monastery, or House of the Valley of Virtue.§ On

* Second son of Robert II. by his second Queen, Euphemia Ross.

† Acta Parl. Scot. folio, vol. ii.; Appendix, p. 57.

‡ Acta Parl. Scot. folio, vol. iii. p. 33.

§ Acta Parl. Scot. folio, vol. ii. p. 39; Appendix, p. 66.

the 7th of February 1456-7 a Parliament was held in Perth, one on the 6th of November 1458, and another on the 9th of October 1459.* In the reign of James III. neither Parliament nor General Council convened in Perth, and in 1482 Edinburgh was constituted the metropolis. The same remark respecting the desertion of the "Fair City" by the three Estates applies to the reign of James IV. Six months after the accession of James V. a General Council was held at Perth on the 26th of November 1513, which was attended by James Beaton, Archbishop of St Andrews, Lord Chancellor; William Elphinstone, Bishop of Aberdeen; James Chisholm, Bishop of Dunblane; Andrew Stewart, Bishop of Caithness, Lord Treasurer; David Hamilton, Bishop of Argyll; Edward Stewart, Bishop of Orkney; John, Prior of St Andrews; George, Abbot of Holyroodhouse; Robert, Abbot of Paisley; William, Abbot of Coupar-Angus; Henry, Abbot of Lindores; John, Abbot of Jedburgh; Patrick, Postulate † of Cambuskenneth; James, Postulate of Dunfermline; Andrew, Postulate of Caithness; Gavin Dunbar, Archdeacon of St Andrews; Robert Forman, Dean of Glasgow; Walter Drummond, Dean of Dunblane; twenty of the Nobility, ‡ the Masters of Marischal and Montgomery, William Murray of Tullibardine, William Menteith of Kerse, Patrick Crichton of Cranston, Patrick Hamilton of Kincaid, David Bruce of Clackmannan, Andrew Kerr of Fernihirst, Sir James Shaw of Sauchie, Philip Nisbet of that Ilk, Alexander Home of Spott, Gilbert Menzies, Provost of Aberdeen, Alexander Blair, Provost of Perth, and James Wishart of Pittarrow, Justice-Clerk.§ The object of this Convention was to consider the proposal of James Ogilvy, Ambassador to France, and the Sieur Anthony D'Arcy, alias de la Batie, a French Knight, who was one of the Wardens

* Acta Parl. Scot. folio, vol. ii.; Appendix, p. 79.

† The Postulate of an Abbey was a person who had been presented to the benefice, though not formally in possession. It appears that before the Reformation even the Scottish Bishops were admitted to sit in Parliament after their appointment, and before their consecration.

‡ The Earls of Argyll, Arran, Morton, Lennox, Erroll, Crawford, Marischal, Atholl, Cassillis, and Eglinton; Lords Home, Drummond, Fleming, Oliphant, Erskine, Ruthven, Maxwell, Forbes, Ross, and Sanquhar.

§ Acta Parl. Scot. folio, vol. ii. p. 281.

of the Scottish Borders, to renew the old alliances with France, more especially in reference to the protection of the youthful James V. This was the only meeting during that Prince's reign, and none of his Parliaments were held in Perth.

The reign of Queen Mary presents similar intimations of the flight of the Legislature from the Fair City. Though Queen Mary repeatedly visited Perth, she is little identified with its history. It was not till the 11th of September 1601 that Perth was the place of meeting of a General Council of James VI. and the Estates, in which were passed Acts "anent a new cunzie of gold and silver," and "anent the claith making."* By the act for the new coinage the gold was to be of "twentie-twa carret fyne, with twa grains of remeid of fynnes alsweill abone as under, at threttie-sax pundis the unce, and to be set furth at sax pundis the peice, with twa grains of remeid of wecht upon ilk peice alsweil havie as lycht." The gold coin was to have on one side a sceptre and sword in form of St Andrew's cross, with a thistle on each side, the whole surmounted by a crown, with the date, and the motto—*SALUS POPULI SUPREMA LEX*, with a small rose on each side; and on the reverse the royal arms within a shield, surmounted by a crown, and the inscription—*JACOBUS D. G. R. SCOTORUM*. The silver pieces were to consist of merks, half-merks, forty-penny and twenty-penny pieces; the devices on the one side to be a thistle with two leaves surmounted by a crown, the date, and the inscription—*REGEM JOVA PROTEGIT*, and on the reverse the King's arms, and the words—*JACOBUS SEXTUS D. G. R. SCOTORUM*.

On the 29th of July 1645 a Covenanted Parliament was held in Perth, in which some most tyrannical enactments were sanctioned against the Malignants, as the Royalists were designated during the Covenanted reign of terror.† The proclamation of Charles II. by the Covenanters, after they had been the chief instruments in the murder of his father, and the arrival of Charles in Scotland, to become rather the King of the Solemn League and Covenant, than Sovereign of

* Acta Parl. Scot. vol. iv. Appendix, p. 257, 258.

† Acta Parl. Scot. folio, vol. vi. p. 198.

the kingdom, brought Cromwell across the Tweed, and the Covenanting preachers and their forces retreated to Perth, which they constituted their head-quarters, much to the annoyance of the citizens. A Parliament was held in the "Fair City" on the 26th of November, in which, among a multiplicity of public and private matters connected with their affairs, the Covenanters made arrangements for the coronation of Charles II. in their own way at Scone.* The King had been some time in Perth, under the strict surveillance of the Covenanting leaders, and Gowrie House was his residence in the "Fair City." The coronation was performed at Scone on the 1st of January 1651, and they held another Parliament on the 13th of March, which sat till the 31st, and then adjourned to Stirling, where, on the 4th of June, the meeting was prorogued to the third Wednesday of November; but Cromwell's victory at Dunbar two months previously had secured for him the possession of the whole of Scotland, the tyranny of the Solemn League and Covenant was completely prostrated, the leaders discomfited, and the suppression of religious feud by military force brought peace and prosperity to the people during Cromwell's domination. After the Restoration the Covenanting Parliaments held at Perth and elsewhere were declared by the Estates null and void, all the enactments were pronounced illegal, and the Solemn League and Covenant, which had caused the best blood in Scotland to be mercilessly shed during its "reign of terror," was not even allowed to be resuscitated at the Revolution.

Among the comparatively few interesting memorials now preserved in the "Fair City," connecting the present with former times, is one of which the citizens may be proud, and is worthy of the inspection of visitors. This is a MS. volume, which may be pre-eminently designated the *BOOK OF PERTH*, in the possession of James Thomas, Esq., Writer, Clerk to the Guildry, containing the records of that ancient Incorporation. It is strongly boarded, with firm clasps, and is preserved in a massive box, on the lid of which is the following inscription—

* *Acta Parl. Scot.* folio, vol. vi. p. 541, 549, 565.

THIS BOX,
FORMED FROM A RAFTER OF THE OLD HOUSE IN CURFEW ROW,
THE RESIDENCE OF SIMON GLOVER,
BY TRADITION
FATHER OF THE "FAIR MAID OF PERTH,"
INCLOSES
THE VENERABLE GUILD BOOK,
CONTAINING THE
RECORDS OF THE GUILDRY INCORPORATION OF PERTH
FOR A PERIOD OF
ONE HUNDRED AND SIXTY-NINE YEARS
BEFORE THE UNFORTUNATE BATTLE OF FLODDEN.
AND ALSO
THE GENUINE AUTOGRAPHS AND MOTTOS OF
JAMES V., CHARLES II., QUEEN VICTORIA,
AND PRINCE ALBERT.

It may be added that Mr Thomas very politely allows any visitor of the "Fair City" an inspection of the Guildry Book.

The pictures of life and manners of the sixteenth and seventeenth centuries which are presented in the following Extracts from the Kirk-Session Register of Perth, after the Reformation, were not peculiar to the "Fair City." They are characteristic of the then state of almost every city and large town in Scotland,* and, independent of their antiquarian interest, they elucidate the practical workings of the religious institutions of the kingdom from the Reformation till the commencement of the Covenanted rebellion against Charles I., or rather during the whole of the seventeenth century. The separation of Episcopacy and Presbyterianism was in practice very different from what we are apt to conclude, when the fierce contentions between the supporters of Episcopacy and Presbyterianism are considered. After the accession of James VI. to the English Crown the regal power was so strong, and public opinion so favourable, that little difficulty was experienced in placing the parish ministers of the several

* See the "Scottish Ecclesiastical Archæology," or Extracts from the Records of the Kirk-Session, Presbytery, and Synod of Aberdeen, edited by John Stuart, Esq., and printed for the SPALDING CLUB, 4to. 1846.

local Presbyteries under the superintendence of Titular Bishops, without changing the forms of Presbyterianism, or abating its spirit; yet such a Kirk-Session, with a Bishop over it, and even an Archbishop of St Andrews presiding, was as zealous against "Papistrie," and as determined to carry on a war of extermination against witches, as any Presbyterian could possibly manifest. Both parties evinced when in the ascendant the same inquisitorial interference with the private life of the citizens, the same intolerant search into ordinary conduct, a feeling equally sour and sanctimonious against all lighter amusements and what was considered Sabbath-breaking, and an equally careful provision of the means of gratify prying malevolence and malignant curiosity. The proceedings of the Kirk-Session of Perth, and of those of other towns and parishes, show the absurdity of the errors which those writers have often committed, who, finding something settled and regulated in their own day, conclude that it was the same in former times because it was known by a similar name.

The manners, opinions, and life in the Scottish towns during the sixteenth and seventeenth centuries are found in the records of the Kirk-Sessions, which were so many ecclesiastical police-courts in times when neither bridewells, penitentiaries, nor houses of correction were erected, newspapers unknown, and the people continued for generations in deplorable ignorance. In the Kirk-Session, during Presbyterian and Episcopal rule, the Minister as president, and a number of laymen called Elders, sat as a weekly parochial court to take cognizance of lesser scandals, and they were often countenanced by a Bailie or Magistrate, who acted, as in the case of Perth for some time, in his official capacity. The Kirk-Session Records in consequence exhibit delineations of daily life, coarse yet picturesque, connected with persons of all ranks, though chiefly of the lower orders. The matters discussed before this tribunal were extremely various. Two of the most prominent were the observation of the Sabbath and filling the parish churches. To effect this latter object more securely, and as having a direct influence on the former, they divided the town into districts. Perth was made to comprise four such districts, under "Visitors," who perambulated

the town with a Bailie to see that the "people resort to the kirk for heiring of the sermons both before and after noon, and to delait and note the absenters" that they might be "processit," or prosecuted. Persons were stationed to record the names of those who went out of the town on the Sundays, the keepers of the "ports" or gates were strictly enjoined to prevent all egress and ingress, and the most innocent enjoyment was punished as well as the most secular or the grossest occupation. To be seen on the banks of the Tay, or walking on the splendid commons of the North and South Inches, was certain to induce a citation to appear before the ecclesiastical police court.

But if the "heiring of the sermon" and the capture by the "Visitors" of those whom they found on the streets on Sundays during the preaching were considered matters of importance, more undoubted offences were not forgotten. Drunkenness, tippling in alehouses and taverns, night-walking, playing at cards, slander, railing, scolding, fighting, swearing, were all carefully investigated, and often visited with a severity altogether disproportioned to the offence. Unchastity of any kind was punished by fine, penance on the repentance-stool in the parish church and at the Cross or market place, carting through the town, ducking, banishment, and censures. This and several other immoralities might probably have been proper objects within the sphere of the Kirk-Session, if the punishment offered the slightest chance of reformation or repentance; but this was not the fact, and it is not likely that lessons of modesty or self-respect would be impressed by exposing delinquents upon a seat in presence of a congregation, or placing them at the church door as the people entered, or enduring personal rebukes from the pulpit. Another peculiarity was the supervision wielded over the movements of people to such a degree that they could neither obtain lodging nor employment except by a license from the Kirk-Session, or, by defying this police court, expose themselves to fine and imprisonment. It is indeed surprising that men submitted to this tyranny, and many conjectures might be assigned resulting from the national character. Yet escape was difficult—the country was poor, and the peasantry could not leave their

own localities. The reckless sinned and repented, or at least occupied the stool for that purpose; and when the females wrapped their plaids about their faces, the evasion to conceal themselves from public recognition was observed, and the garments were taken from them as they advanced towards the stool. Such was Perth—such was Scotland—for nearly a century and a half after the Reformation.

The Works illustrative of the history of a town of such note as Perth are comparatively few. In addition to the articles in Sir John Sinclair's and the New Statistical Account of Scotland, Encyclopædias, and Gazetteers of various degrees of merit, those productions are chiefly—

1. *THE MUSES' THRENODIA*, or Mirthful Mournings on the Death of Mr Gall, containing Varieties of Pleasant Poetical Descriptions, Moral Instructions, Historical Narrations, and Divine Observations, with the most Remarkable Antiquities of Scotland, especially at Perth. By Henry Adamson. Edinburgh, printed in King James' College,* by George Anderson, 4to. 1638. Reprinted, with Explanatory Notes and Observations, &c. By James Cant. Perth, 2 vols. small 8vo, 1774.

2. *MEMORABILIA OF PERTH*, containing a Guide to Perth, Historical Memoranda respecting Perth, Charters relating to the Privileges of Perth, List of the Ministers and Rectors of the Grammar School of Perth, List of the Subscribers for building of the Bridge and the Public Seminaries, and the Rev. Alexander Duff's (late of Tibbermuir) Traditional Account in the Town of Perth of the Death of John Earl of Gowrie, and his brother Mr Alexander Ruthven, in 1600. Perth, 8vo. 1806.

3. *THE PERTH MISCELLANY* of Literature, Agriculture, Gardening, and Local Intelligence. Perth, 1830. This was a Periodical published by Messrs Morison & Co., of which only a few numbers appeared.

4. *THE CHRONICLE OF PERTH*, a Register of Remarkable Occurrences chiefly connected with the City from 1210 to 1668, by John Mercer,† edited by James Maidment, Esq.

* The College or University of Edinburgh was first so designated by James VI. himself, though his claim to the distinction as a benefactor is very questionable.

† Mercer was Town-Clerk of Perth.

Advocate, and printed for the MAITLAND CLUB, 4to. Edinburgh 1831, from the MS. belonging to the Faculty of Advocates.

5. TRADITIONS OF PERTH, containing Sketches of the Manners and Customs of the Inhabitants, and Notices of Public Occurrences during the last Century, Interesting Extracts from Old Records, Notices of the Neighbouring Localities of Historical Interest, Topographical Sketch of the County, Brief History of Perth, &c. By George Penny, 8vo. Perth, 1836.

As to the Gowrie Conspiracy, the most remarkable event which occurred at Perth after the murder of King James I. of Scotland, and the demolition of the Religious Houses, a complete collection of all the documents and productions connected with it is in the second volume of Pitcairn's "Criminal Trials of Scotland." The statement of some Presbyterian writers, that instead of Gowrie plotting against the King, the King plotted against Gowrie, is most conclusively refuted by the mass of evidence printed by Mr Pitcairn, and is too ridiculous to be credited for a moment. Yet even Mr Scott appeared as one of the champions of Gowrie's innocence in his "Dissertation upon the Gowrie Conspiracy." It is now proved most satisfactorily that the Earl of Gowrie and his brother Alexander Ruthven, animated by private revenge and other motives, and in concert with Logan of Restalrig, then proprietor of the stronghold of Fast Castle on the coast of Berwickshire, near St Abb's Head, were the rash parties concerned in this extraordinary and wretchedly managed plot which involved their destruction. This is farther demonstrated from the letters of Logan to Gowrie now published, the proceedings against Logan after he was dead, and the confession and execution of George Sprot, a notary of Eyemouth, the adjoining parish to Coldingham, in which Fast Castle is situated, and who acted as factor or legal adviser to Logan. If the Gowrie Conspiracy had been, as was and still is pretended by some writers, a scheme on the part of James VI. to ruin the Gowrie family, it will be admitted that it was the interest of the Court to hush the project as speedily as possible, and to employ every means for that purpose. But the very reverse was the case. The plot was investigated and re-investigated year after year, and in times, let it be remembered,

when the King was most unpopular with the Presbyterians, on account of his strenuous efforts to effect the permanent establishment of the Episcopal Church. The 5th of August, the day on which the plot exploded, was ordered to be annually observed in commemoration of the King's deliverance, and numerous pamphlets were printed in reference to the Conspiracy. The conclusion to which every impartial inquirer must inevitably come is, that, absurd and ill-concerted as was that melancholy affair, it was a designed attack on the person of the King, and that it was defeated chiefly by the inexperience of those whose rashness had involved them in the desperate enterprise.

Some Extracts from the Kirk-Session Register of Perth appeared in one of the volumes of the EDINBURGH CHRISTIAN INSTRUCTOR, a periodical now defunct. Mr Maidment also printed a selection, which is appended to Mercer's Chronicle of Perth, and extends to forty-nine pages. In the list of works announced for publication by the SPOTTISWOODE SOCIETY, a volume was allotted for Mr Scott's transcript of this Kirk-Session Register, as illustrative of former life and manners in Scotland, but on farther consideration it appeared that a small selection would answer the purpose. This was contributed by the present writer, and inserted in the second volume of the SPOTTISWOODE MISCELLANY, published in 1845, and edited by Mr Maidment.

The Illustrations to this volume consist of a View of Perth before the Reformation, from Kinnoull Hill, taken from a lithographed outline in Sir William Keith Murray's "Sketches of Scenes in Scotland," and two Seals, one of the Dominicans, or Black Friars, and the other of the Carthusians. Every effort was made to procure those of the Carmelites, or White Friars, and of the Franciscans, or Grey Friars, but without success, and none appear to be preserved among the Charters of the old Religious Houses at Perth.





Engraved for Thomas G. Stevenson's Book of Perth



THE BOOK OF PERTH.

The Dominican Monastery.



THE DOMINICANS, OR BLACK FRIARS, had fifteen Monasteries in Scotland, which was the eighteenth of the forty-five Provinces into which the Order was divided in the several kingdoms of Europe. Originally Scotland was included with England as one Province, and the Provincial Prior resided in England, governing the Order in Scotland by a Vicar. The latter kingdom became eventually a separate Province. On the 24th of April 1470, John Muir is styled "Vicar-General of the Predicant Friars," and he was the first Provincial Prior. This disjunction from England is said to have been greatly accelerated by James III., in defiance of the zealous opposition of the Order in England.

The Monastery at Perth stood on the north side of the town, without the walls, on the south portion of the ground which still retains the name of the Black Friars. It is described as a "stately and convenient fabric," containing, in addition to the cloisters in which the Friars resided, commodious galleries and apartments in which the Scottish Kings often lodged when they were in Perth. The royal palace or castle was swept away by an inundation of the Tay in 1210, when Prince John,

infant son of William the Lion, his nurse, and many of the King's retinue, perished in the waters, the King, his Queen, and the rest of his family, narrowly escaping. Alexander II. granted the ground and the site of the royal garden to the Black Friars for the erection of their Monastery. James I., his Queen, and retinue, were inmates of the Black Friars at Perth when he was inhumanly murdered, under circumstances well known to all familiar with Scottish history.

Adjoining to the Monastery was the Church, dedicated to the Virgin Mary, and to St. Dominic, the founder of the Order. In this Church a solemn convention of the clergy and nobility was held in 1431 by James I., who occupied a chair of state in the choir before the great altar. Several distinguished persons were interred in this church, especially Elizabeth Mure, Queen of Robert II. and mother of Robert III., Alexander third Earl of Huntly, Elizabeth Gray his Countess, and some of the Earls of Erroll, and members of their family.

Near the Church was a burial-ground, which is noticed in the Kirk-Session Register, 3d June 1589, when the then Minister and Elders ordered a strong wall to be built round the "Black Friars' Kirk-yard," and that no animal should be allowed to enter and tread upon it, because it was a "place of burial."

The gardens of the Monastery were extensive. One was long known as the *King's Garden*, and also the *Gilded Arbour*, and is prominently noticed in these Extracts.* It was separated on the east from the North Inch by a kind of canal. Robert III., in 1395 or 1396, witnessed from this garden the celebrated combat fought on the North Inch by thirty selected persons on each side from the Clans Chattan and Kay, immortalized by Sir Walter Scott in the "FAIR MAID OF PERTH."

The locality called the *Castle Gavel* was near the Black Friars' Monastery, and derived its name from the remaining wall of the ancient castle. It is mentioned early in the Records by that name. A canal from the Almond is carried in a large channel close to the Castle Gavel, which is situated extremely low, and was liable to be often flooded. The water of this

* See the note *infra*, p. 22.

canal falls into the Tay, and it is said to have been constructed about the beginning of the thirteenth century.

The Dominican Monastery at Perth seems ordinarily to have consisted of only twelve or thirteen Friars, exclusive of their servants. In reference to their professed abstinence, the numerous bolls of wheat and malt of which they obtained grants were superfluous, and can only be explained by the circumstance that they were hospitable to strangers, and were compelled to "keep open house" to royalty and numerous visitors.

It may be here generally stated that Perth long consisted of merely the South Street (or Gate), the North or High Street, the Kirkgate (which leads from the north side of St. John's Church to the High Street), the Watergate, the Speygate, the Castle Gavel, frequently mentioned, and the Curfew Row. These are the localities chiefly recorded in the charters belonging to the religious houses. Connected with these streets were several alleys which still exist, such as the Kirk Vennel, the Meal Vennel, and St. Clement's Vennel. Other ancient alleys are now known by the names of subsequent proprietors or residents. An Argyll Gate, the site of which is unknown, is mentioned in the Town-Council Records. On the 6th of April 1529, King James V. granted a precept to the Provost and Bailies to infest Sir Edward Gray, his chaplain of the church of Loretto at Perth, in tenements situated in Argyll Gate, and others.

The Burgh Records of Perth extend no farther back than the year 1500. The first volume is so much decayed that it is almost unintelligible. The first document is an entry of seisin, dated 1500, apparently in favour of Sir Malcolm —, one of the priests, in subjects in either the South or North Gates, bounded, *inter alia*, by the subjects of — Myrton, Prebendary of —.


Various religious houses at a distance had property in Perth and its vicinity. Those prominently mentioned are the Abbeys

of Scone, Aberbrothwick, Coupar-Angus, Lindores, and Inchaffray. The last-mentioned religious house, the name of which signifies the *Island of Masses*, was founded by Gilbert Earl of Strathearn and his Countess Matilda in 1200, and was dedicated to the honour of God, the Virgin Mary, and St. John the Apostle and Evangelist. The ruins are in the parish of Madderty in the district of Strathearn, on a rising ground, which was evidently, in ancient times, insulated by the Pow water. In reference to the property of the Abbey of Inchaffray in Perth, John, Abbot of the same, and the Convent, in 1358, during the reign of David II., granted to John de Gray, burgess of Perth, and his heirs, a tenement on the south side of the North Street, with all its pertinents, on the condition that one pound of wax was paid to the Abbot of Inchaffray for eight years, three shillings and four pennies in the ninth year, five shillings in the tenth year, six shillings and eight pennies in the eleventh year, ten shillings in the twelfth year, and ten shillings annually for ever, the first payment of the wax to commence at Whitsunday about 1370. John Bell, burgess of Perth, with consent of John de Gray, resigns to John de Pollock, or Rollock, his tenement on the south side of the North Street, reserving to the said John de Gray and his heirs an annual rent of twenty shillings. In the Inventory of 1650, this charter is said to relate probably to the rights of the Abbey of Inchaffray. The few remains of that Abbey are the property of the Earl of Kinnoull, in virtue of which his Lordship is patron of about twelve parish churches which belonged to the Abbot and Convent.





Charters of the Dominican Monastery.*

CTOBER 31, 1241.—*Granting a Cake of Wax, to be paid by the Provosts of Perth, out of the King's farm of Perth.*—Alexander, by the grace of God, King of Scots, to his Provosts of Perth, greeting:—We charge and enjoin you, as out of our farm of Perth, to cause have in readiness for the Predicant Friars of Perth, one cake of wax, with which cake of wax we have endowed annually the Church of the same Predicant Friars, when we have enjoined the said church to be dedicated. Witnesses—Philip de Melville, Robert de Mowat, Justiciary of Scotland, Robert de Menzies. At Forfar, the last day of October, in the twenty-seventh year of the reign of the Sovereign Lord the King.

June 7, 1244.—The King's Garden.—A Pipe of Water.—A grant from a “regard to godly charity”—*divinæ caritatis intuitu*—“to God, to the Blessed Mary, and to the Predicant Friars of Perth, serving and to serve God there, for ever,” of the King's garden, and of a conduit of water from the reservoir of the King's well of Perth, containing the width of four inches. Witnesses—a venerable Father William (Bodinston), Bishop of Glasgow, Chancellor, William Earl of Mar, Alan (Durward) Hostiarius, Justiciary of Scotland, John de Vaux,

* The Charters now belong to the Hospital founded by James VI. at Perth. The Monastery of the Black Friars—*Fratres Prædicatores*, or *Preaching Friars*—was founded at Perth by Alexander II., King of Scotland, whose reign began on the 4th of December 1214, and ended in July 1249. This Monastery was the most ancient at Perth of which any record is preserved.

Robert de Menzies. At Holyrood,* the 7th day of June, in the thirtieth year of the reign of the Sovereign Lord the King.

May 31, 1251.—The Cake of Wax and one Day's Provision for the Friars every Week.—Alexander III., son of the founder of the Place, enjoins the cake of wax to be paid yearly out of the King's farms of Perth, by the Provosts of Perth, to the Preaching Friars on the Day of the Nativity of St. John the Baptist, for the illumination of the Monastery Church at the dedication of the same; also the said Friars to be fed out of the same farms one day every week. Witnesses—Robert de Ross, Robert de Menzies, Chamberlain, and William de Louchar (Lowther), Sheriff of Perth. At Scone, the last day of May, in the second year of the reign of the Sovereign Lord the King.

October 10, 1265.—Ten Chalders of Malt, five of Wheat, seven Pounds sixteen Shillings, and a Cake of Wax.—A charter from the same Sovereign Lord Alexander, King of Scots, son of the founder of the Monastery, granting ten chalders of malt, and five chalders of wheat, to be paid yearly to the Predicant Friars of Perth, out of the King's farms of Craigie and Magdalene, by the Provosts of Perth and the tenants of the said lands; also seven pounds sixteen shillings, to be paid yearly by the Provosts of Perth out of the farm of the burgh of Perth, to the Predicant Friars for their annual maintenance; also one cake of wax to be delivered to the Friars at the season of the year when the market is best. Witnesses—Malcolm (Macduff), Earl of Fife, William Earl of Mar,† Chamberlain, and John de Park. At Scone, the 10th day of October, in the seventeenth year of our reign.

November 19, 1292.‡—Certain Burgesses of Perth.—One Hogshead of Wine, and one Chalder of Wheat.—"To all who shall see or shall hear these letters—John Hailboch, John de Perth, John Richardson, John Auld, Robert called Fisher,

* The Monastery or Abbey of Holyrood, or the Holy Cross, at Edinburgh.

† William ninth Earl of Mar, of the ancient Family of the surname of Mar, predecessors in the title of the Earldom of the Noble Family of Erskine, the subsequent possessors of the title.

‡ William (probably Fraser), Bishop of St. Andrews, attested the first, third, and fourth of these charters, about the year 1291.

Duncan de Cellars, burgesses of Perth, wish eternal salvation in the Lord. Know every one, that besides other alms which we have been in use to deliver to the Predicant Friars of Perth on the part of our Sovereign Lord King Alexander, of worthy memory, we have delivered to the said Friars, on the part of the same Sovereign Lord our King, as well during his life as since his death, one hogshead of wine and one chaldier of wheat for the celebration of divine mysteries: In testimony of which, we have thought it good to append our seals to this letter. Given at Perth, in the 8th day of St Martin, in the year of our Lord 1292."

About the year 1294.—Grant of John Moncrieff, of that Ilk, of eight bolls of barley, eight bolls of oats, and four bolls of wheat, to be paid yearly for ever to the Predicants of Perth, out of the estate of Moncrieff, in the shire of Perth, for the sustenance of the said Friars; and to be delivered to them before the Feast of the Purification of the Blessed Virgin Mary. Ratified by the seal of a venerable Father, Lord William (Fraser), Bishop of St. Andrews. Witnesses—William de Carnegie, Alderman of Perth, Sir Robert, Vicar of Perth, Solomon de Dundas, Petronilla de Moncrieff, and many others.*

April 12, 1316.—*Grant of King Robert Bruce.*—A charter of the Sovereign Lord Robert Bruce, King of Scots, grants forty-four merks sterling to be paid annually to the Predicant Friars of Perth, one half out of the King's farms of Perth, the other half out of the customs called *Maltoth* of the towns of Perth and Dundee.† Witnesses—"Bernard (Linton), Abbot of

* This charter was subsequently renewed by Moncrieff of that Ilk, probably about 1312, and was confirmed by King Robert Bruce on the 18th of April 1322. In the Laird's renewal, Sir Roger de Moubray and Sir Roger de Megfen (Methven) are specially mentioned as additional witnesses to this burden on the estate of Moncrieff.

† The lieges of Dundee and Perth in course of time rebelled against their share of this grant, and refused to pay money for which they obtained no adequate return. On the 15th of November 1345, King David II. issued a precept, dated at Stirling, to the Provost and Bailies of Perth, in answer to a complaint of his "beloved chaplains, the Predicant Friars," ordering the Magistrates to fulfil the grant of his father, which he had confirmed. On the 12th of November 1357, Norman Leslie, Deputy-Chamberlain of Scotland,

Arbroath, our Chancellor, Thomas Randolph, Earl of Moray, our nephew, Gilbert de Hay, Constable of Scotland, Alexander Fraser, and Robert de Keith, Marischal of Scotland, Knights. At Perth, the 12th day of April, in the eleventh year of our reign."

January 8, 1322-3.—Privileges of the Friars at the Mills of Perth.—King Robert Bruce granted a charter exempting the Friars from the payment of multures out of five chalders of wheat, two chalders of barley, also out of all kinds of grain for their use ground at his mills of Perth. Also the Friars to have their grain to lie in the said mills room-free, after his own grain, the grain of his Chancellors, Justiciaries, and Chamberlains, and the grain of any other person found at the mills, in the measure of three bushels. At Aberbrothwick, the 8th day of January, in the seventeenth year of his reign.*

April 26, 1323.—Forty carts of Peats from Logie.—Confirmation of charter granted by King Robert Bruce, on the 2d of February 1319-20, of the gift of forty cart-loads of peats out of the forfeited estate of Logie which belonged to the late John de Logie, Knight, the peats to be dried and carried all the way to the house of the Predicant Friars of Perth by the people of the said estate. At Berwick-upon-Tweed, the 26th day of April, in the eighteenth year of his reign.†

May 6, 1324.—Gift of Sir Gilbert Hay of Errol.—Sir

issued a similar order, dated at Scone, from which it appears that the inhabitants of Dundee were mulcted L.10 sterling out of their great customs annually, and the citizens of Perth only seven merks sterling.

* A confirmation of this precept was addressed on the same day by King Robert Bruce to his Chamberlain. On the 26th of April, 1323, this charter was farther confirmed at Berwick, with the substitution of malt for barley. Among the new witnesses are "Lord Thomas Randolph, Earl of Moray, Lord of the valley of Annandale and Marr, our dearly beloved nephew," Walter, Steward of Scotland, Robert de Lauder, Justiciary of Lothian, Alexander de Seton, and William Oliphant, Knights.

† This charter was renewed by King David Bruce on the 6th of May 1370, by James IV. on the 15th of March 1490-1, and by the same monarch on the 19th of April 1505. In the last document are enumerated the legal proceedings of the Prior and Convent to enforce their rights, in consequence of Margaret Logie, and Thomas Hay her husband, refusing to fulfil the charter, thereby denuding the holy men of their peats.

Gilbert de Hay,* Laird of Erroll, granted twenty shillings sterling to be paid annually out of his lands and orchard of Inchyra, to the Predicant Friars of Perth, in pure and perpetual alms to Almighty God, and to the blessed Dominick, for the maintenance of one burning lamp in the choir, and another burning lamp before the great Cross in the Church of the said Friars, to be paid one-half at the Feast of Pentecost, and the other at the Feast of St. Martin in the winter. Witnesses—“ Nicholas de Hay, Dean of the Church of Dunkeld, John de Hay, Rector of the Church of Erroll, our brothers, Nicholas de Hay, our son, John de Inchmartin, Sheriff of Perth, Knights, Edmund Hay of Leyes, Thomas Bane, John de Kinfauns, John Marshall, Burgesses of Perth, and many others.”

July 3, 1333. — Gift of Sir John Brown, Knight.—This Sir John Brown granted “ in pure and perpetual alms, to the religious men, the Friars of the Order of the Predicants of Perth, those seven acres of arable land, with all their pertinents, throughout all their limits and just divisions, which he possessed and obtained from John called Hailboch, burgess of Perth, on account of his redemption, lying without the burgh of Perth, marching between Salcur on the south side, and the land of Balhousie on the north side, above the land of Salcur of the foresaid Friars, for their sustenance, and the repair of their buildings, also for their performance of an anniversary on behalf of the donor, and of his son,† who lies buried with

* Sir Gilbert de Hay was one of the ancestors of the Earls of Erroll. He succeeded his father, Sir Nicholas de Hay, in 1303, and was constituted Constable of Scotland in 1308, an office which was afterwards made hereditary in his family. Sir Gilbert de Hay was one of the chosen friends and most zealous adherents of King Robert Bruce, who died on the 11th of June 1329, when the Knight-Constable became equally faithful and loyal to his son David Bruce. Some relate that Sir Gilbert was killed at the battle of Duplin, on the 11th of August 1332, and that if his lady had not been *enciente* at the time the family would have been extinct, so many of the name of Hay having fallen on that field. But it appears that he was slain at the battle of Halidon Hill, on the 19th of July 1333, and if his body was brought to Scotland, it is likely that it would have been interred in the church of the Black Friars at Perth, rather than in the Abbey of Coupar, which is Crawford's statement, on no good authority.

† Apparently the son of John Hailboch, or Kinloch, mentioned *supra* in the charter dated 19th November 1292.

them, and of his successors to the latest generation." Failing the warrandice of those acres, Sir John Brown* and his heirs were to pay to the Friars the sum of L.20 sterling as a full compensation. Witnesses—John de Cameron, Sheriff of Perth, and David de Marr, Knights.

Within the Octaves of the Moveable Feast of our Lord's Ascension, 1334.—A general Gift.—Sir John de Inchmartine grants to the Predicant Friars of Scotland, to be received by the hands of the Prior of the Predicant Friars of Perth, or his Deputy, for the annual entertainment of the Chapterly Convention of the whole Order,† twenty shillings sterling from out of his estate of Kinnaird in the Earldom of Atholl; also, for the same purpose, two bolls of good wheat, and eight bolls of good barley, out of his granary of Inchmartine. Witnesses—Lord Innocent Abbot of Scone,‡ Sir John de Stirling, Sheriff of Perth, John Gyl, Thomas de Listoun, and many others.

* Fordun and Buchanan relate that an Esquire named Richard Brown was executed at Perth as a traitor along with Sir John de Logie and Sir Gilbert Malherb, Knights. This Richard Brown was the son of Sir John Brown, Knight. The charge against them was their connection with an alleged conspiracy which had been planned by William Lord Soulis, and they were drawn at the tails of horses through the streets to the place of execution, where they were hanged, their hearts taken out, and their bodies dismembered. This occurred before February 1319–20, near the end of the fourteenth year of the reign of Robert Bruce, and the Parliament which condemned them was called the *Black Parliament of Perth*. In a Parliament held at Scone in August 1320, William Lord Soulis and the Countess of Strathearn were condemned to perpetual imprisonment, though the lady had so far repented as to inform King Robert of the conspiracy (Fordun xiii. c. 1; Acts of the Parliaments of Scotland, folio, 1844, vol. i. p. 63.) In the celebrated letter, dated at Arbroath, 6th April 1320, and addressed by the Barons of Scotland to Pope John XXII., are the names of other conspirators who were convicted and executed in August or September that year. Sir John Brown's charter to the Black Friars was granted during the contests between David Bruce and Edward Baliol, the latter of whom had been crowned at Scone on the 27th of September 1332, and when both parties were preparing for a battle, which was fought at Halidon Hill on the 19th of July 1333.

† This intimates that the Black Friars throughout Scotland held an annual meeting of their Fraternity at Perth.

‡ Mr. Scott says that the name of the Abbot of Scone is erroneously written in the charter, which was granted on a Sunday at Perth. Sir John de Inchmartine's successor's surname was Erskine. On the 1st of March 1369–70, his son, Alan de Erskine, Laird of Inchmartine, second son of William fifth Lord Erskine, with the consent of Isabel his wife, for the salvation of their

September 8, 1375.—A house or tenement of land, with its pertinents, in the Curfew Row of Perth, sold by John Lorimer to John the son of Henry, burgess of Perth, to be held of the Predicant Friars of Perth, and to be burdened with the yearly payment of five shillings of silver, usual money, to the said Friars. In testimony of which, his seal is appended, together with the seals of Friar Adam de Brechin, Reader of the Order of the foresaid Predicant Friars of the town of Perth, of James de Cochrane, Canon of Dunkeld, and of John de Gray, burgess of Perth. Witnesses—Thomas de Spens, Laurence de Spens, John de Pitscottie, William called Squire, John de Lindores, and many others.

March 25, 1382.—Elizabeth Lady Kinmonth,* who “is established in her pure widowhood,” grants one boll of wheat and one of barley to be annually paid to the Predicant Friars of Perth out of the estate of Kinmonth.

September 18, 1389.—Hugh Barclay of Kippo† grants to the Predicant Friars of Perth ten shillings sterling annually

souls, and of those of his predecessors and successors, confirmed the charter, and increased the number of bolls of wheat to eight. The Friars were evidently special favourites of the lady, who is described as the “undoubted and lawful heiress of the foresaid John de Inchmartine.” David II. confirmed the charter on the 7th of April 1370. It appears that the estate of Inchmartine frequently changed proprietors in the following century. It will be seen, under date 22d August 1421, that David Wemyss, son of Sir John de Wemyss, Knight, and Isabella his wife and relict, was in possession of Inchmartine; and in a charter dated 9th October 1444, Sir Andrew Ogilvy is mentioned as proprietor. On the 14th of February 1502–3, James IV. and the Privy Council ordain David Ogilvy of Inchmartine to pay annually eight bolls of wheat and eight bolls of barley to the Predicant Friars of Perth, which was to be good, and of William the Lion’s measure. The above-mentioned Alan de Erskine had no male issue by his wife the heiress of Inchmartine. Two daughters were the offspring of that marriage, through whom he became an ancestor of the Earls of Wemyss and Findlater.

* Elizabeth de Kinmonth was evidently the heiress of the estate so called, which has long been in the possession of the family of Kier. As she omits any mention of her deceased husband, it is probable that some religious service for him had been founded in another Monastery.

† The Barclays of Kippo were a branch of the Barclays of Cairney, who were ennobled as Lords of Brechin. James Barclay of Kippo, a descendant of Hugh Barclay, left his only child Margaret heiress of the lands of Kippo, Arngask, Balvaird, and others. She married, about 1507, Sir William Murray, an ancestor of the Viscounts Stormont, Earls of Mansfield in the Peerage of Great Britain.

out of his Barony of Arngosk for the maintenance of a burning lamp in the choir of the Monastery Church.

December 3, 1405.—King Robert III. grants to the Predicant Friars of Perth the Chapel of St. Laurence, situate within the town of Perth, with all its rents and profits for ever, for the salvation of the soul of his father Robert II., and especially for the salvation of the soul of Elizabeth Mure his mother, who is interred in the Church of the said Friars. The said Chapel, which was the property of his beloved chaplain John de Busby—“in virtue of our donation for the term of his life, the said John, not induced by force or fear, nor fallen into error, but of his own free will and voluntary choice, again rendered back into our hands, by staff and cudgel, and purely and simply resigned, quitting for ever and in all respects all right and claim which he had or could have to the said Chapel. The said religious men, and their successors, for the salvation of the souls of all the aforesaid persons, are to maintain the said Chapel in its divine ornaments and buildings, and to perform in it the services and tasks due and customary. Witnesses—a venerable Father in Christ, Gilbert (Greenlaw), Bishop of Aberdeen, our Chancellor, William de Bathgate, Malcolm de Bute, our chaplains, Henry de Cunninghame, Donald de Nairn, William Giffart, John Lockhart, Henry de Lusk, Roger de Chartres, and John de Crawford, our clerk.—At Dundonald, in the sixteenth year of our reign.”*

1410.—William Scott of Balwearie grants to the Predicant Friars of Perth two acres of land in his meadow of Flawcraig, commonly called the Meadow of the said Friars, with this condition, that the said Friars shall not let in lease the said meadow without his permission, or the permission of his heirs, unless it be to his own proper tenants. Witnesses—John Clephane of Carslogie, Robert de Fernie, Laird of that Ilk, John Scott, “my cousin,” and many others.†

* On the same day, Robert III. addressed a letter to Gilbert, Bishop of Aberdeen, under the Privy Seal, charging him, agreeably to the charter under the Great Seal, to “cause due investiture upon this our concession to be given at the gates of our Chapel to the said religious (men).”

† On the 20th of March 1414–15, Alan de Kinnaird, of that Ilk, confirms the above charter of his “beloved cousin,” William Scott, Laird of Balwearie.

About 1420.—Thomas de Lyn, burgess of Perth, grants a croft, with its pertinents, lying at the Clayhill of the burgh of Perth, between the aqueduct of the mills of our Sovereign Lord the King, of the said burgh on the south side, and the croft of the late Henry Pullour on the north side, and for ever resigns the said croft to the Place of the Predicant Friars, for the celebration of three masses in any week, only before the altar of the Blessed Mary in the Church of the said Convent. The Friars to pay yearly out of the said croft to the Laird of Inchmartine and his successors three shillings, and to render due and customary service to the King.*

Same date.—Henry Pullour, burgess of Perth, son and heir of the late Henry Pullour, burgess of Perth, compelled by necessity, and by the title of a fair sale, alienates for ever to the Prior and Convent of the Predicant Friars, his whole and entire croft, with its pertinents, lying between the water-ditches of the said Friars, between the land of Thomas de Lyn on the south, and the land of the Abbot of Scone on the north, and extending on the east to the King's road on the west.†

October 9, 1444.—Sir Andrew Ogilvy of Inchmartine granted and for ever confirmed to the venerable men, the Prior and

Scott and the witnesses mentioned were Fife Lairds. An alteration of the grant took place on the 31st of July 1460, when William Scott of Balwearie, his son, confirmed an assedation of the Friar's Meadow of Flawcraig, which the Prior and Convent had granted to John Scott of Fingask, and his heirs, for the annual payment of one boll of white pease, "well cleansed, within our Monastery, in the first week of Lent." Both were ancestors of Sir William Scott of Balwearie, eldest son of William Scott of Balwearie, by Isobel, daughter of Sir John Moncrieff of Moncrieff. This Sir William Scott, who was a lineal descendant of the famous wizard Michael Scott, was appointed one of the first Judges of the Court of Session at its institution on the 27th of May 1532. The ruins of Balwearie Castle are near Kirkcaldy.

* This grant was confirmed by David de Wemyss, then proprietor of Inchmartine, by a charter dated 22d August 1421.

† It is stated in the charter that the Prior and Convent had advanced a sum of money to Mr. Pullour in his "necessity," and that they had paid debts which he says "he owed to several persons." This advancing of money on property was almost a certain means of eventually obtaining complete possession. This grant was also confirmed by David Wemyss of Inchmartine, on the 22d of August 1421. Sir David de Wemyss was the eldest son of Sir John de Wemyss of Reres and Kincaldrum, who married Isobel, one of the daughters and co-heiresses of Sir Alan Erskine of Inchmartine.

Convent of the Predicant Friars of Perth, those nine shillings of annual rent yearly payable to him out of a certain croft of the said Friars; also eleven shillings and eight pennies of annual rent out of the land of William Scoule, in the North Street of the said burgh, between the land of Alexander Bunch on the east, and the land of William Young on the west, in the manner of a true and fair excambion for twenty shillings of annual rent out of the estate of Kinnaird, and out of other lands lying in the Earldom of Atholl, within the shire of Perth, of old granted to the said Friars in alms by the late Sir John de Inchmartine, Lord of that Ilk; * reserving always the pious suffrages of prayers to be made by the said Friars for the souls of the Lords of Inchmartine, as from ancient times has been in use and wont.

August 20, 1452.—William de Hay,† Earl of Erroll, granted to the Predicant Friars of Perth L.4 yearly out of his lands of Inchyra, and also confirmed the charter granted by Sir Gilbert de Hay on the 6th of May 1324, of twenty shillings yearly out of the said lands. The Friars were to perform several spiritual services, on the pain of forfeiting the donation. If the Earl or his successors should hereafter contradict or question the said donation, or any part of it, they were to pay to the Friars, within forty days, L.200 of the usual money of Scotland, even before the cause should be tried in judgment. This donation was for the salvation of the soul of the Earl, the soul of Beatrix his Countess, and the souls of their parents, predecessors, and successors.—“ The said Prior and Convent, and their successors for the time being, shall cause and ordain a well-qualified Friar of the said place, whom they shall choose or depute for that purpose, to celebrate one mass every day for ever, between the hours of ten and twelve, at the altar of

* This charter has reference to the one granted by Sir John de Inchmartine within the Octave of Ascension-Day 1334.

† William de Hay was created Earl of Erroll by James II. in the year he granted the above charter, and he died in 1470. He married Beatrice Douglas, daughter of James third Lord Dalkeith, ancestor of the Earls of Morton. This Earl's grandson, Thomas Hay, who married Margaret de Logie, heiress of the Barony of Logie-Almond, succeeded to the Earldom about 1535. The Earls of Erroll had a town residence in Perth at the south end and west side of the Watergate.

St. John the Evangelist and Nicolas the Confessor, in their foresaid Church, where some of our predecessors are buried and are resting, for our souls, and the souls of all faithful men deceased; and the said Friar employed to celebrate this mass shall be bound to exhort the people at the beginning of the said mass that, for the souls of all the foresaid persons, and for our own soul, and the soul of our said consort, they shall say one *Paternoster*, with the angelic salutation of *Ave Maria*, by no means omitting that collect *Fidelium Deus*. Moreover, the said Prior and Convent, and their successors, shall be bound to celebrate an anniversary yearly after our decease, when it shall happen. And if it shall come to pass, which God forbid, that the said Prior and Convent, or their successors in their foresaid Church, shall, for whatever cause, desert from the foresaid service during the space of one whole month, or, contrary to their duty, shall not fulfil the same service in whole or in part, unless it be because of mortality, a great famine prevailing in the country at the time, or the conflagration of the foresaid town or Convent, so that they shall not be able for these causes to sustain themselves conventually in their foresaid Church, then we will, and by the tenor of this present charter ordain, and this with the present consent of the said Friars, that our heirs and successors, by their own proper authority, without leave asked of any person in this life, shall take and uplift the foresaid L.5 of annual rent, and shall allocate, unite, and assign the said annual rent to a qualified monk or chaplain to celebrate divine service at an altar in the Monastery of Coupar,* in the church of Erroll, or anywhere else, as it shall please them; the said annual rent never afterwards to be levied or, in any way possessed by the said Prior, Convent, or their successors, or by any other in their name.”†

* The Monastery at Coupar-Angus was a Cistercian Abbey, founded in the centre of a Roman Camp by Malcolm IV. in 1164, and amply endowed. Its ruins intimate that it was a building of considerable magnitude. At the Reformation the revenue was L.1230, and considerable payments in victual. Its destruction was completed by a mob from Perth, though before the Reformation it was in a state of decay.

† This charter was followed by a precept of sasine in favour of the Prior and Convent, granted by the Earl of Erroll on the 4th of September 1542.

March 31, 1455.—John de Haddington, burghess of Perth, resigned to Mr John de Musselburgh, Prior of the Predicant Friars, the whole of his orchard, with its pertinents, lying between the Castle Gavel, between the North Inch of the said burgh of Perth and the land of the said Prior and Convent from the west, which orchard he held from the said Prior and Convent off the King.

July 15, 1459.—Edmund Hay of Leys granted to the Predicant Friars of Perth, out of his estate of Leys, one boll of wheat yearly, to be delivered for their sustenance before the Festival of the Nativity, or at what other time they shall please.

July 20, 1459.—John Fotheringham, burghess of Perth, granted to the Predicant Friars of Perth forty shillings of annual pension, out of his land or tenement on the north side of the North Street of Perth.*

February 4, 1463-4.—Laurence Dryden, burghess of Perth, granted to the Predicant Friars of Perth L.5 of annual rent out of his house or tenement in the street called the Kirkgate, for the salvation of the souls of "James the First and James the Second, Kings of Scotland, of worthy memory, and for the safety of the most excellent Prince our Sovereign Lord James the Third, the most illustrious King of Scots, for the salvation of the souls of my father and my mother, for the salvation of my own soul, and of the souls of my predecessors and successors." †

* As John Fotheringham was a witness to the grant of the boll of wheat by Hay of Leys only five days previously, he probably was infected by the example of the Laird. The Earl of Erroll, who had some connection with Fotheringham's property, confirmed his donation on the following day, and added two merks of annual rent out of the same tenement, which is described in an old hand on the back of the charter—"Now David Scharp's on the north side of the North Gait," and in later writing—"Now Alexander Chalmers' acres."

† This grant of the loyal Mr. Laurence Dryden was confirmed, *ex officio*, on the 6th of the same month, by Humphrey Murray, one of the Bailies of Perth. Robert Shackloch was then Prior. In a marginal note, written on the charter in 1588, the tenement is described as "umquhil Alexander Lourie's land, Alexander Glass, and Constantine Melice's acres' land;" and no the back, in a more modern hand—"Now the heirs of Alexander Whytt, Andrew Hamilton, and Charles Wilson."

May 16, 1468.—Andrew Purrock, burgess of Perth, sells his tenement on the Curfew Road to Robert Frew, his heirs and assignees, to pay yearly out of the said tenement to the Predicant Friars of Perth eight shillings.*

November 9, 1469.—Agnes Dryden, daughter of the deceased Laurence Dryden, grants to the Predicant Friars of Perth eight shillings of annual rent out of a tenement in the Castle-Gavel, and two shillings of annual rent out of the tenement adjoining; also her garden or orchard, lying on the north side of the King's way, which passes to the East Inch, between the said Inch on the east part and the land of Thomas Mathison on the west part, † “for the maintenance of one mass to be daily and annually celebrated by one of the Friars of the said Convent for the souls of James the First and James the Second, the most illustrious Kings of Scots, of excellent memory; for the soul of the most illustrious Prince James the Third, our present supreme King; for the souls of the said Laurence, of his father, mother, and of all the faithful dead.” ‡

* On the back of this charter is written in an old hand—“*Nunc pertinens Johanni Robertson, maltman;*” and in a more modern hand—“Now David Jack's.”

† The first-mentioned tenement is described as that inhabited by Robert Brusson on the west side of the Castle-Gavel street, between the land of John Peebles on the south, and the aqueduct of the mills on the north. John Peebles is noticed as the tenant of the other. On the back of the charter is written—“*Nunc Thomas Dundee et hæredum Roberti Gow;*” and in a more modern hand—“Two lands on the west side of the Skinnergate, now the acres of Patrick Dundee.” Of the garden or orchard it is written in an old hand—“*Hortum nunc terra Johannis Swintoun, annuatim nunc 16 shillings.*”

‡ It is curious that this pious and loyal lady forgets her own soul. This charter and that of her father were confirmed by her husband, Stephen Jaffray, burgess of Perth, on the 22d of January 1469–70. Mr. Jaffray's charter of confirmation is attested by the usual sign-manual of David Donyng, Master of Arts, Presbyter of St. Andrew's, and Notary Public, who was apparently the writer of the charter. Thomas Donyng is mentioned as Prior, in a charter dated 8th November 1486. He was probably a brother of David Donyng, Master of Arts. In a charter dated 4th January 1490–1, in which a tenement was assigned in feu to Sir Sylvester Rattray, of that ilk, for the annual payment of ten shillings, the “Reverend Father” John Millar is recorded as Provincial Prior of the Black Friars within Scotland, and David Boyd was then the Prior of the Convent at Perth.

April 24, 1470.—Robert Shacklock, Prior, and the Convent, resign in fee-farm to Thomas Mathison, a tenement and garden, with all and sundry their pertinents, lying between the land of Cornelius Taylor on the west, the land of Alexander Lothian on the east, and the road extending to the wall of the east garden of the said Friars on the north, for the payment of an annual rent of thirty shillings; and if the said Thomas, his heirs and assignees, failed in payment of the said rent for three successive terms, then the tenement and garden were to return to the Convent.*

September 5, 1491.—Elizabeth Sandilands,† relict of James Fotheringham of Fordel, resigned to the Predicant Friars of Perth a house with gardens or orchards, with the pertinents, lying between the garden of Sir Sylvester Rattray of that Ilk, Knight, on the east, the croft of the foresaid Friars on the west, the common road adjoining to the aqueduct of the mills of the burgh of Perth on the south, and the great stank of the said Friars on the north. And the said Elizabeth bound herself never in any way to revoke this resignation. After resignation, as now expressed, David (Boyd), the foresaid Prior, faithfully bound himself to the foresaid Elizabeth Sandilands to cause one mass to be celebrated once every week for the soul of the said James, and for her also during the time of her life. Moreover, the said Prior bound himself to the foresaid Elizabeth, to cause the Friars, his brothers of the said Place, yearly on the anniversary of the day of the death of the foresaid James Fotheringham, in all future times to celebrate, for the soul of the said James, one mass with singing,

* This is one of numerous similar transactions in which the Prior and Convent conveyed their houses and gardens, in various parts of the "Fair City," for the payment of an annual specified sum. The above may be taken as an example of the rest.

† This lady is supposed to have been of the family of Sandilands of Calder, ancestors of the Lords Torphichen. The Fotheringhams of Fordel for several generations were of considerable note, but her husband was the last of them who possessed the estate, as it became by purchase or otherwise the property of George Brown, Bishop of Dunkeld, who gave it in 1493 to Richard Brown, his brother; and it continued in that family till by the marriage of Antonia Brown it was conveyed to Dunlop of that Ilk in Ayrshire, her husband. Fordel is near the post village of Damhead in the Perthshire portion of the parish of Arngask, on the boundary of Kinross-shire.

together with *Placebo* and *Dirige*, for which services the foresaid Elizabeth bound herself as above, and also to pay yearly to the said Prior and Convent ten shillings of the usual money of Scotland, in equal portions at the two usual terms of the year, out of her lands of Bawstiswy,* with their pertinents, in the shire of Perth. Witnesses—James Ramsay, Sir Paul Fowlis, and Friar Thomas Arnot, Presbyters; also many others, who were called to witness the premises. Written and attested by me, Henry Clerk, Master of Arts, Presbyter of the Provincial Diocese of Dunkeld,† and Notary by imperial and regal authority.”

September 20, 1492.‡—Andrew Mathison, son and heir of the deceased Thomas Mathison, burgess of Perth, resigns in perpetual feu to Robert Pendall and Janet his spouse his whole and entire tenement, with its pertinents, lying without the Castle-Gavel Bridge on the north side of the same, between the land of Alexander Paterson on the east, and the land of James Anderson on the west; out of which the said Robert, his wife, and their heirs, are to pay thirty shillings of annual rent to the Prior and Convent of the Predicant Friars of Perth, forty pennies of annual rent to the Prior and Convent of St. Andrew's, six shillings eight pennies to the Altar of St. Thomas the Apostle in the parish church of Perth, and twenty shillings of annual rent to the said Andrew Mathison and his heirs.

April 24, 1493.—Sir Silvester Rattray of that Ilk resigns and alienates a land, garden, and pertinents, lying between the land of James Fotheringham of Fordel on the west, the land of John Randall on the east, the way of the common aqueduct on the south, and the common road which passes to the Place of the Predicant Friars of Perth on the north, to an honest woman, Elizabeth Buttergask, his true assignee, to be holden of the Friars, who are to be paid ten shillings annually out of the said land and garden.

* Sic in M.S.

† In a subsequent charter designated Vicar of Aberuthven, a parish now annexed to that of Auchterarder in the county of Perth.

‡ This charter is merely following out one granted on the 8th of November 1486, of the resignation of a tenement, including house, shop, and garden, beyond the Castle-Gavel Bridge, by Andrew Mathison to Robert Pendall.

January 24, 1495-6.—Angus Robertson, burgess, grants in perpetual alms to Prior Robert Park, and to the Predicant Friars of Perth, his whole entire land or tenement, with its pertinents, lying without the Castle Gavel of the said burgh, and the street passing to the church of the said Friars on the east side of the same street, between the land of Robert Donaldson on the south, and the land of John Blyth on the north. The said land, with the garden and pertinents of the same, to be held and retained by the foresaid Prior and Convent of the foresaid Predicant Friars, and their successors, “from me, my heirs and assignees, of our Sovereign Lord the King, in pure and perpetual alms, and for divine orisons for ever. The said Prior and his Convent, and their successors, shall annually, on the anniversary-day of my decease, and on the night preceding, cause divine service and obsequies to be performed, with *Placebo* and *Dirige*, and on the morrow a mass *De Requie*, for my soul, the soul of my wife, the souls of all my predecessors and successors, and the souls of all the faithful dead. Also, the bellman of the town of Perth shall be forewarned by the foresaid Prior and Convent annually to admonish and invite all persons to resort to the Church of the Monastery, and to the obsequies there to be performed, on the anniversary-day of my decease. These things to be rendered instead of all other burden, service, or exaction.”*

April 18, 1497.—“To all who shall see or hear this charter, Friar Robert Park, Prior of the Order of the Predicant Friars of Perth, and the Convent of the same place, with eternal salvation in the Lord: Know that we, being chapterly convened under House, with unanimous consent and assent, and with the consent, assent, and authority of a venerable man and discreet Friar, Ninian Shank, Provincial of the said Order within the Kingdom of Scotland, have granted, and for ever confirmed, in fee-farm to our beloved John Pullour, burgess of the said burgh of Perth, that whole and entire land, garden, or orchard, with its pertinents, lying above the Inch mill-lead of the said burgh, on the north side of the same, between the

* The above charter is a curious illustration of the anxiety for posthumous fame before tombstones were much in fashion.

land or garden of the late Sir Silvester Ratray of that ilk, Knight, on the west, the land of William Aitkin on the east, the common road which goes to our church on the north, and the mill-lead of the said burgh on the south; which land, with its pertinents, was formerly belonging to John Randall, burgess of the said burgh, in heritage, but which he of his own accord resigned into our hands, and quitted all claim to for ever. The whole and entire foresaid land to be held and retained to the foresaid John Pullour, his heirs and assignees, in perpetual heritage and fee-farm of us and our successors, and with all its just liberties and commodities whatever. The said John Pullour, his heirs and assignees, to render out of it annually to us and our successors of the said Place, twenty shillings of annual rent, in equal portions at the two usual terms of the year, viz. of Pentecost, and of St. Martin in winter; failing which, the said land, with its pertinents, shall fully and entirely return to us and our successors."

March 18, 1499–1500.—Similar charter by the Prior and Convent to John Brisson, Burgess of Perth, with the consent of David Anderson, Provincial of the Predicant Friars in Scotland, of a tenement and orchard near the Convent, for the annual payment of fifteen shillings.

March 16, 1501–2.—Similar charter by Prior Robert Park and the Convent to Andrew Robertson, with consent of the above-mentioned Provincial of the Order, of a house and garden near the Convent, for the annual payment of sixteen shillings.

January 31, 1504–5.—Similar charter by Prior Robert Park, with consent of the same Provincial of the Order, of a tenement and garden near the Convent, to Andrew Bunch, burgess of Perth, for the annual payment of forty shillings.

May 15, 1505.—John Eviot,* Laird of Balhousie, grants to the Friars thirty-three shillings four pennies of annual rent out of his croft called the *Barn's Croft*, betwixt the North Inch of the burgh of Perth on the east, a footpath extending

* It appears from various documents that the Eviots were proprietors of Balhousie for nearly three hundred years. The above John Eviot, son and successor of Richard Eviot of Balhousie, is mentioned as a witness in a charter of the Black Friars, dated 18th March 1499–1500.

to Balhousie on the west, the Gilten Herbar* on the south, and the common lane of Balhousie on the north, for the celebration in the choir of the church, at the high altar, of a mass, with memorial of the most glorious Mary, always a Virgin, according as the season of the year shall exact and require. And if his heirs refused or revoked this donation, he bound them to pay in full to the Prior and Convent the sum of L.40 of the money of Scotland. If the said Prior and Convent, or their successors, shall desist from celebrating the said Dominical Mass, or shall neglect it four Lord's-days successively, the said annual rent shall revert freely and peaceably to him and his heirs.

July 20, 1506.—Prior Robert Park, and the Convent, with

* The *Gilten Herbar* was a local designation of the *Gilded Arbour*, which was in the King's garden at Perth. On the 19th of July 1535, a letter was addressed to William Lord Ruthven, Sheriff of the county of Perth, by James V., to "do justice" to the Black Friars, in opposition to the Provost, Magistrates, and Town-Council, who had taken illegal possession of "certain crofts and pieces of land" near their Monastery, the patrimony and property of the said Friars in times bygone, past memory of man;" and who had thrown down and destroyed a part of the enclosures, and had erected "*butts*," or bow-marks, on a part of their crofts and lands called the *Gilded Herbar*, had "*spulzeit* them of their possession thereof, and will not desist therefrom, nor refund to them the damage and skaith they have sustained through down-casting of their dykes, without they be compelled, as is alleged." The Prior and Convent do not seem to have been at times on friendly terms with the Town-Council of Perth. Such corruptions as *Gilten Herbar* for *Gilded Arbour* are very common in Scotland. St. Madoes, a small parish near Perth, is pronounced *Semidoes*; a locality on the west of Dundee, and on the banks of the Tay, called the Magdalene Yard, is better known as the *Maidlin Guard*; the parish of Ballingry in Fife is abbreviated to *Bingry*; and the hamlet of Restalrig, between Edinburgh and Leith, is very commonly designated *Lesterrick*. Numerous other instances could be given, and it is remarkable that many of the inhabitants are utterly ignorant of the proper designation of their localities. A peasant in the parish of Cockpen and neighbourhood will declare that he never heard of Dalhousie Castle, but he knows it well when it is pronounced *Duohissie*. In this affair of the *Gilten Herbar* at Perth, Prior George Crichton and the Friars protested, on the 16th of August, that they had been refused a copy of the King's letter to Lord Ruthven; and on the 18th of that month James V. reversed the order he had issued to his Lordship, and with the consent of parties appointed Patrick Ogilvy of Inchmartine, and Edmund Hay, chamberlain or "*bailie*" of Erroll, to be judges in the plea. On the 3d of July 1536, the King issued a summons to those gentlemen to exercise the office of the sheriff in the dispute. The affair was not decided in 1538, when, on the 10th of May, the King commanded witnesses to be summoned.

consent of David Anderson, Provincial of the Order, grant to John Lowson and Mariotte Salmond his wife, and their children, a tenement with garden and orchard, within the property of the Monastery, for the annual payment of thirty-two shillings.

August 20, 1517.—Similar grant by Robert Lyle, Prior, and the Convent, with consent of John Adamson, Provincial Prior of the Order, to Andrew Ferrier, skinner, burgess of Perth, and his lawful children, of the house, garden, and orchard, possessed in liferent by Elizabeth Buttergask; also, another tenement and garden held by Andrew Robertson in fee-farm from the Convent, out of which Andrew Ferrier was to pay to the Convent the annual sum of ten shillings. The said Andrew to lose all right if he sublet or lease the garden or orchard for building to any master of a school for teaching, or to any one who retains a number of boys, or to any persons publicly exhibiting shows, and persevering in such illicit acts, and if Andrew himself and his said heirs do not remove persons of this kind at the very next term, or after having been required so to do by the Prior and Convent, or their successors.*

May 31, 1520.—James Young, Prior, and the Convent, with consent of John Adamson,† Professor of Sacred Theology, and Provincial Prior of the Order, grant to Janet Pullour, her heirs and assignees, an entire tenement and garden near the Convent for the annual payment of sixteen shillings.‡

June 24, 1525.—Elizabeth Gray, Countess Dowager of Huntly,§ made a gift to the Prior and Predicant Friars of the

* On the 30th of July 1523, George Ferrier, son and nearest heir of the deceased Andrew Ferrier, obtained seisin of the grant in this charter.

† Hector Boece mentions (Lib. xiii.) a remarkable reformation of the Dominicans or Black Friars in Scotland, about the beginning of the sixteenth century, by "John Adamson, a man of our own time, celebrated for his piety and erudition, who received the degree of Doctor of Divinity from our (King's) College of Aberdeen."

‡ This property was afterwards conveyed, on the 19th of April 1533, to Alexander Lindsay, burgess of Perth, Janet Bunch his spouse, and their heirs, with the consent of John Grierson, Provincial of the Order in Scotland, whose official approval seems to have been in all such cases indispensable.

§ Eldest daughter of Andrew third Lord Gray, and widow of John sixth Lord Glamis. Her Ladyship was the second Countess of Alexander third Earl of Huntly, by whom she had no children.

half lands of Littleton,* for the praise, glory, and honour of Almighty God, for the salvation of her own soul, and the soul of the late Alexander Earl of Huntly, Lord of Badenoch, her most beloved husband, who conferred many benefits upon her. But because among the several religious fraternities in the Kingdom of Scotland who receive in common any property, such as lands or annual rents, the Predicant Friars are poor, promoters of religion, conforming to the rules of their spiritual fathers, reformed, abstaining from all kinds of flesh agreeably to their own constitutions and those of their spiritual fathers, so that in life and doctrine they are an excellent pattern to the people, the Countess chose them to perform the prayers and divine obsequies.† She accordingly grants to the Convent of the Predicant Friars of Perth her whole and entire half of all and sundry the lands of Littleton, with their pertinents, lying within the shire of Perth, for the suffrages of prayers and other divine services hereinafter mentioned, in pure and perpetual alms—"the said Friars and their successors to render to me and my heirs, for satisfaction of my lord superior of the said lands, two pennies of the current money of Scotland, on the ground of the said lands, in the name of maill. Also the said Friars and their successors shall be bound and obliged, as in law and equity they may, to chant and celebrate solemnly, with a memorial, in their purple vestments, with deacon, sub-deacon,

* The lands of Littleton form part of the parish of Longforgan in the Carse of Gowrie.

† It appears from this preamble that the Countess of Huntly had taken as correct the account which the Friars gave of themselves. As to the "poverty" of the worthy Black Friars of Perth, these abstracts of their charters tell a different story. It is clear, that from the date of the foundation of their Monastery to the period of its dissolution, they gradually acquired much valuable property. John Knox says of them, when their Monastery was violently demolished by a mob whom he had excited—"The lyke abundance was not in the Black Friars (as in the Grey Friars), and yet there was more than became men professing poverty."—*History of the Reformation in Scotland*, vol. i. Edin. edit. 1732, p. 128. As for the Countess of Huntly, "she entertained," says Mr. Scott, "a favourable opinion of the (Black) Friars. They had lately been reformed, and reduced to their ancient state and manner of life, by means of a very eminent man, Friar John Adamson, Professor of Divinity, and Provincial of the whole Dominican Order within the Kingdom of Scotland, whose pious labours with the Fraternity are celebrated by Hector Boethius, Lib. xiii."

and assisting servants, in their choir, between the hours of seven and nine daily, one mass of repose for the comfortable rest of my soul, and of the soul of the late Alexander my husband;* the solemn days and principal festivals excepted, which, according to the Ordinary or Calendar of the said Friars, are double, on which days a mass shall be celebrated for us out of the Festival, with a collect, and memorial for our souls. Also every year, on the day of the decease of my said husband, viz. on the 16th day of the month of January, they shall celebrate for our souls funeral exequies, or an anniversary, with nine lessons, with due solemnity. But if the said Friars or their successors shall cease to celebrate the said mass and exequies above written, they shall be bound to resign and renounce unto the hands of the Lord superior for the time the said lands of Littleton, at my requisition if I be alive, or after my death at the requisition of the late Earl my husband, or, if they be negligent in the matter, at the recognition of John Crichton of Strathurd, Knight, and his heirs, in favour of any other religious house willing to accept the foresaid burden, which house likewise failing, in favour of any other honest church accepting the burden, at the choice and nomination of the Archbishop of St Andrews and of the Bishop of Dunkeld who shall be at the time, with my consent, or with the consent of the heirs of my said husband, or of the said John Crichton.— And with this matter I charge their consciences. Moreover, the said Friars and their successors, or other ecclesiastical men whatever, accepting the said lands, with the burdens, shall be bound in this matter, now, and as often as there shall be occasion, to submit themselves wholly to the jurisdiction and government of the said Archbishop of St Andrews and Bishop of Dunkeld, as by the reason and tenor of this bipartite charter they now submit themselves, by renouncing their own proper jurisdictions, exemptions, and privileges whatever, granted or which may be granted to them; so that the said Archbishop

* This Earl of Huntly, who died in January 1523-4, was buried in the choir of the Church of the Black Friars at Perth. He was at one time proprietor of the Castle of Ruthven, now called Huntingtower, near Perth, and his eldest son was infeft in it in 1510, but it reverted to the family of Ruthven.

and Bishop, or their Vicar-General, Officials, or Commissaries, may compel the said Friars, or others whatever accepting the foresaid burden, to a due observance of the premises in all points and articles above written, by using ecclesiastical censures, and, if need be, by citation, admonition, excommunication, aggravation, re-aggravation, and interdiction. And farther, because I, the said Countess Elizabeth, contributed and delivered, for repairing and edifying the dormitory of the said Place, when it was altogether ruinous, the sum of three hundred merks, of the money of Scotland, the said Friars and their successors shall be bound to say every night, after their midnight and most early devotions, the psalm *De Profundis*, with the prayer *Inclina*, at the sepulchre of the said Alexander my husband, who lies buried in the choir of the said Friars, reciting our names Alexander and Elizabeth, and this for the safety of our souls. Every week also, in their chapterly meeting, they shall commend our souls in their suffrages, special and general, as well of their missals as of their other prayers: and in this instant year, all and sundry the Friars, Priests of the said Place, shall remember and make special mention of my state, and of the soul of the said Alexander my late husband. That all the premises may be more pure, and have perpetual effect, if it should happen that the said Archbishop, Bishop, the heirs of the late Earl my husband, and the heirs of John Crichton, shall, after I have yielded to the fates, allow the said suffrages and divine services to pass into neglect and oblivion, in that case I constitute and ordain the Prior and Religious Men of the Carthusian Monastery, near Perth, overseers of this foundation as far as they may; and it shall be lawful for them, in the foresaid case, to require not only the foresaid Friars, and the heirs of the said late Earl, and of John Crichton, but also the said Archbishop and Bishop, their successors, Officials, and Commissaries, to fulfil, execute, and observe all the premises; and on finding them remiss to execute the premises themselves for the security of the celebration of the said mass, exequies, and other suffrages, and for that purpose to solicit the authority, and cause to be executed the processes, of the Sovereign Pontiff.—At Perth, before these witnesses—a venerable man and father in Christ, Alexander

(Stewart), Commendator of Scone and Inchaffray, and an honourable man, Patrick Charteris, Provost of Perth.”*

September 2, 1525.—Sir Edward Gray, Laird of Inchyra, compeared on the grounds of Inchyra, and gave seizin and possession of twelve merks yearly to the Black Friars. Sir John Gray craved public instruments. Witnesses—Andrew Murray, Patrick Gray, and Robert Mather. Thomas Walker writes the notarial attestation to the grant of Sir Edward Gray.†

May 11, 1526.—The Friars grant a piece of land near the aqueduct of the mills of Perth, to William Cock and Margaret Donaldson, his spouse, and their heirs, for the annual payment of five shillings, failing which, the ground to revert to the Convent.

August 30, 1530.—William Rollo, or Rollock, baker, burgess of Perth, resigns to the Friars his shop in the North

* The Friars, of course, willingly accepted the donation, and on the same day seizin was granted on the lands of Littleton, in conformity to the authority vested by the Countess in her “beloved” David Lindsay of Edzell, Knight, Master David Lindsay his son, and Andrew Harvey, her Bailie. Attested by Thomas Walker, Presbyter of the Diocese of St Andrews, by sacred apostolical authority Notary-Public, &c. Sir John Crichton was a son-in-law of the Countess, and as her son John Lord Glamis refused to allow the Friars possession of the lands, James V., on the 14th of December 1527, issued a mandate to Sir John Crichton and William Anderson, his Sheriffs, enjoining them to compel Lord Glamis, as the immediate superior, to resign the property to the Friars. On the 25th of April 1528, the Friars granted a reversion of the lands of Littleton to Patrick Lord Gray for the sum of six hundred merks of the usual money of Scotland, and on the 18th of May that year, James V. issued a summons to Lord Glamis, who obstinately refused to relinquish the property, to appear before the Privy Council at Edinburgh, and hear himself deprived of the superiority of the lands of Littleton. On the 3d of August the refractory Lord Glamis had so far yielded, that Lord Gray, as superior of the lands, granted legal seizin of the same to the Friars. On the 17th of December, however, William Lord Ruthven, Sheriff of the County, granted a precept for replacing a tenant of the Prior and Convent who had been expelled by Lord Gray. It will be seen in a subsequent part of these abstracts that the property of Littleton was often the subject of litigation between the Friars and the Gray family.

† Sir Edward Gray, a son of Andrew third Lord Gray, was an ecclesiastic. He was half-brother of Elizabeth Gray, Countess of Huntly. On the 6th of April 1529, King James V. granted a precept to the Provost and Bailies to infest Sir Edward Gray, his chaplain of the church of Loretto, in tenements situated in Argyll Gate and others.—Perth Town-Council Records, vol. i.

Street, in the tenement or "fore land" of John Peebles, merchant.*

September 25, 1532.—Prior John Macalpine, and the Convent, with the consent of John Grierson, Provincial Prior of the Order, grant in feu to Thomas Monypenny and Margaret Anderson his wife, and their heirs, a tenement, with garden and orchard, near the Convent, for the annual payment of thirty-two shillings.

November 23, 1532.—John Ross of Craigie sold to the Prior and Convent the right of forty shillings of annual rent out of the Mill of Craigie, for a certain sum which the said Prior and Convent had paid to him, of which seizin was granted on the 12th of November. Attested by Sir Andrew Ramsay, Presbyter of the Diocese of Dunkeld, and by sacred authority Notary-Public.

1537.—The half of a tenement without the bridge of the Castle Gavel was granted by Prior Patrick Pillans and the Convent to Christian Frew and the heirs of her body, to "help the said Christian to her marriage portion," for the annual payment of thirty shillings.†

January 9, 1539–40.—Similar charter to Patrick Murdison, Janet Christison his wife, and their heirs, of a tenement without the Castle-Gavel Bridge, on the south side of the Vennel, leading to the Convent, for the annual payment of fifteen shillings.

May, 6, 1541.—Similar charter to James Lawson, barber, burgess of Perth, Helen Wright his wife, and their heirs, of the tenement formerly belonging to John Pullour, and at the time to Patrick Murdison, for the annual payment of five shillings.

* William Rollo seems afterwards to have repented of this donation, and on the 4th of July 1541, the Prior and Friars petitioned the Privy Council to put them in possession, because, in 1538, the said William Rollo had resigned the shop "of said Andrew Blacket, one of the Bailies of Perth," in favour of Giles Craigie, his niece, and David Nairn, her spouse, to the "manifest defraud, hurt, and prejudice" of the said Friars.

† This half tenement had been granted, on the 20th of November 1475, to John Frew, the other half having, on the 16th, been disposed to John Kinloch. Each party was to pay the annual sum of thirty shillings.

July 21, 1543.—*Lands of Littleton*.—Patrick fourth Lord Grey died in 1541, without male issue. Andrew Straiton* of Laurieston in Kincardineshire, his nephew, and also the nephew of Elizabeth Gray, Countess of Huntly, claimed a right to the Barony of Longforgan, including the lands of Littleton; and on the 14th of April 1542 resigned the half of that Barony to James V., who immediately, as superior, gave seizin to the Black Friars of the property to be held from himself. Patrick fifth Lord Gray, successor of his uncle the fourth Lord, procured a reduction of that infestment and transaction, and obtained a decree from the Lords of the Council on the 21st of July 1543. On the 2d of January 1543—4, Lord Gray granted seizin to Robert Borthwick, Prior, and to the Friars. His Lordship, however, seems not to have been very sincere in the matter, and on the 20th of November 1544 the Regent Arran sent a letter to him, earnestly desiring him not to prevent the Friars from enjoying the rents of lands into which they had been so lately put in legal possession by himself. This epistle had little effect, and on the 14th of February 1544—5, a summons in the name of Queen Mary was addressed to the tenants of the half of the lands claimed by the Friars, to appear before the Privy Council. William second Lord Ruthven, sheriff of the county, had several times granted decree in favour of the Friars, but a deadly feud between him and Lord Gray had rendered the enforcement of the decree impracticable. On the 5th of March, that year, the Privy Council ordered the tenants of Littleton to be distrained, and on the 16th of that month a charge in four forms was served on the tenants to answer the complaint of the Friars for not paying their dues. On the 13th of April 1546, Robert Eviot, the factor or steward of the Friars, ordered a summons of removal to the tenants, who were denounced as rebels, and put to the horn. Lord Gray nevertheless, set this summary procedure at defiance, and protected the tenants in their refusal to pay the rents to the Friars. On the 13th of August 1546, his Lordship was summoned to

* A relation, probably a brother, of this gentleman was burnt for heresy, with a priest named Norman Gourlay, on the 27th of August 1534, at the Rood of Greenside, on the north-east side of the Calton Hill at Edinburgh.

appear before Queen Mary and the Privy Council. On the 22d of November his Lordship's procurator denied that he had intromitted with the Friars' half of the lands of Littleton, and proof by witnesses was ordered to be taken. On the 18th of December a decree of the Privy Council ordained letters in all the four forms to be directed against Lord Gray. Nothing farther occurs till the 14th of June 1550, when Patrick Pillans was again Prior, and Queen Mary's letters were obtained by the Friars for poinding and distraining the lands of Littleton for the rents due, the lands of Logie for forty cart-loads of peats, the lands of Balvaird for ten shillings of annual rent, and the lands of Craigie for forty shillings of the same. John Pardovan, messenger-at-arms, executed the first summons against Lord Gray on the 18th of March, and the second on the 21st of that month 1546-7. The third summons was given to his Lordship by John Cock, messenger-at-arms, on the 30th of July 1550, in which he was commanded either to obey within two days, or enter himself a prisoner within the Castle of Blackness under pain of rebellion. The fourth was served by John Cock on the 6th of August that year, when Lord Gray was a prisoner in the Castle of Edinburgh, and he was immediately to be denounced a rebel, and his moveable goods confiscated to the Queen's use, if he continued disobedient after two days. A final agreement was effected between Lord Gray and Prior Patrick Pillans at Edinburgh Castle on the 6th of August, and this seems to have terminated the litigation.

The other charters up to the year 1557 are of no interest, and consist chiefly of conveyance of the tenements near the Convent to certain citizens of Perth, for the annual payment of specified sums. The Account-Book of the Black Friars was begun on the 20th of June 1557, and was continued to the 6th of May 1559, five days before the demolition of the Monastery. Mr Scott observes that this Book is both curious and useful, as showing what the rents of the Monastery really were, and what should have been afterwards paid to the poor of King James VI.'s Hospital at Perth. Mr. Scott adds—

"The Book was either written by David Cameron, the (Sub) Prior, or perhaps the sums of money received were only occasionally attested by him. It is written in some parts in English and some parts of it in Latin, and in other parts of it English and Latin words are mixed together in the same sentence."

This Book is entitled— "*Liber Ratiotinarum Fratrum Prædicatorum Burgi de Perth, quoad recepta in Pecuniis factus, Die et Anno quibuscunque supra in Principio.*" The usual attestation is—"Ita est, FRIAR DAVID CAMERON, PRIOR." The spring of 1559 was the last occasion on which the Black Friars of Perth received any of their money rents, and this was on Easter Sunday. No sums were paid on or before Saturday the 6th of May, and on the 11th their Monastery was demolished by the mob. According to Mr. Scott's abstracts from that Book, the Friars received, from Whitsunday to Martinmas 1557, in money, probably Scots, L.63:15:6, or L.5:6:3 sterling; from Martinmas 1557 to Whitsunday 1558, L.79:14:10 Scots, or L.6:12:10 sterling; from Whitsunday to Martinmas 1558, L.76:17:6 Scots, or L.6:8:1 sterling; from Martinmas 1558 to Easter Sunday 1559, L.52:1:11 Scots, or L.4:6:9 sterling;—in all, during the two years before the demolition of the Monastery, L.274:9:9, or about L.22:14:2 sterling. A chartulary of the Black Friars at Perth is still extant, though not entire. It is divided into two Parts, and originally consisted of 138 quarto leaves, chiefly of parchment, but twenty-five leaves have been abstracted from the second Part. On the outside leaf of the first Part is written—"Incipit Copia Cartarum Fratrum Prædicatorum prope Burgum de Pertht." The title of the second Part is—"Liber Registri omnium Cartarum et Evidentiæ Locum Fratrum Prædicatorum prope Burgum de Pertht, factum Anno Domini Millesimo Quingentesimo Octavo." In this second Part several of the charters in the first part are re-inserted, but many are still extant which were never copied into the chartulary.

Before the violent demolition of the Monastery, the Black Friars had frequent altercations with the citizens, of which the following is a specimen:—

May 28, 1543.—“ MARY, by the grace of God, Queen of Scots,* &c.:—Forsameikle as it is humbly meant and complained to us by our devout Orators the Prior and Convent of the Friars Predicators of Perth, upon Alexander Chalmers of Potty, John Henry, George Crichton, Walter Pyper, John Davidson, James Rynd, John Mason, whilk with their complices and servants, of their causing, command, and ratihibition, recently, upon the 14th day of May instant, betwixt eight and nine hours before noon, our said Orators being actually occupied in divine service, came to their said Place, and struck up their front gate, broke the locks and bands of the same, and sidlike broke up two inner doors of the thoroughfare on the north side of the said cloister, and took away with them the locks of the same doors; and broke up the water door, and took away out of it chandeliers and glasses; and broke their kitchen door, and took off the fire the kettle with their meat, and carried it about the town, and yet withhold the kettle and pewter dishes, one or more, from them; and also broke their enclosure gate, which was new made, with great violence and contempt, to their great damage and skaith, and against justice if so be. Our will is herefore, and we charge you, that ye lawfully summon, warn, and charge Alexander Chalmers of Potty, John Henry, George Crichton, Walter Pyper, John Davidson, James Rynd, John Mason (with their complices), to compear before Us and our Council at Edinburgh, or wherever it shall happen to be at the time, the — day of — next to come, in the hour of cause, with continuation of days, to answer at the instance of our said Orators, the Friar and Convent of the Friars Predicators of our said burgh of Perth.”†

* Queen Mary was not at this date fully six months old. The Government was administered by the Regent Arran, who, on the 2d of May 1543, addressed a letter to the Provost and Bailies of Perth, enjoining them to restore to the Friars the waste ground of St. Lawrence's Chapel, which they had seized.

† The remainder of this document, which enumerates the damage done by the rioters within the Monastery, is of no importance. The cause of this attack on the Monastery is not stated. The price of each of these locks of the broken doors or gates is estimated at eight shillings; two brazen chandeliers, twenty shillings; two glasses, three shillings; a large kettle, L.3; two pewter dishes, six shillings, all Scots money, in addition to the damage sustained by the breaking of the doors.

The following list of the "Venerable and Religious Men, Professors of Sacred Theology, and Provincial Priors of the Dominican Fraternity of the Province of the Kingdom of Scotland," was prepared by Mr. Scott from the charters at Perth. The dates of the appointments are unknown, and the list is imperfect.*

1470. JOHN MUIR.

1497. NINIAN SHANK.

1499-1508. DAVID ANDERSON.

1517-1520. JOHN ANDERSON.

1526-1558. JOHN GRIERSON.

SOME OF THE PRIORS OF THE DOMINICAN CONVENT AT PERTH.

1455. JOHN DE MUSSELBURGH.

1465-1475. ROBERT SHACKLOCK.

1486. THOMAS DONYNG.

1497-1508. ROBERT PARK.

1517. ROBERT LITE (LITTLE.)

1520. JAMES YOUNG.

1523-1526. VINCENTIUS LITSTER.

1532-1534. JOHN MACALPIN.

1537-1543. PATRICK PILLANS.

1542-1547. ROBERT BORTHWICK.

1550-1559. PATRICK PILLANS.

From this list it appears that the office of Prior was elective, and that, as the Prior was chosen by the Brethren of the Convent, he held his situation during pleasure. This is proved by two of the above acting as Sub-Priors, after having filled the office of Prior.

SUB-PRIORS.

1523. JAMES HEWAT.

1528. JOHN LITSTER.

1641-42. VINCENTIUS LITSTER.

1545. ROBERT LITE (LITTLE.)

1549-50. DAVID CAMERON.

* David Boyd is mentioned as Prior of the Black Friars in 1491.—See p. 17, 18 of the present volume.

FRIARS.

August 20, 1517.—Alexander Muat, Alexander Mureson, David Burnet, Andrew Rattray, Robert Aikman, Patrick Simson, Mauritius Millar, James Colt, Andrew Jackson.

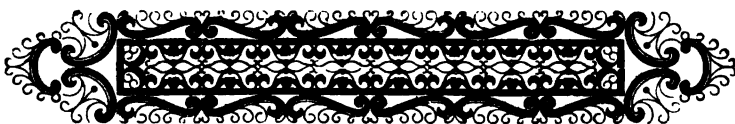
December 29, 1543.—Vincentius Litster, Thomas Robertson, Alexander Galloway, David Cameron.

January 22, 1546–47.—Alexander Small, Thomas Steill, John Branwood, David Cameron, James Dod.

April 23, 1549.—Thomas Steill, Mauritius Allan, Thomas Liston, William Simson, John Meek, Michael Neill.


The last surviving Friar was probably John Gray, who is mentioned in the Kirk-Session Register, under date 19th August 1577, as enforcing payment of his annuity by legal process.





The Carmelite or White Friars' Monastery.

CHARTERS OF THE MONASTERY AT TULLILUM NEAR PERTH,
FOUNDED FOR THE WHITE FRIARS, OR FRIARS OF THE
ORDER OF THE BLESSED MARY OF MOUNT CARMEL.*

AY 7, 1361.—King David II. confirmed all the donations which his predecessors and others had granted to the Carmelite Friars within the Kingdom of Scotland, dated at Aberdeen, and attested by William Landel, Bishop of St. Andrews, Patrick de Leuchars, Bishop of Brechin, Chancellor, Robert, Steward of Scotland, Earl of Strathearn, “our nephew,” William Earl of Douglas, Robert de Brechin, and John de Preston, Knights.

May 15, 1426.—James I. by charter enjoined all who were indebted to the Carmelite Friars of Tullilum to make payment without delay. Dated at Edinburgh, “in the twenty-first year of our Reign.”

May 4, 1427.—William de Wynd granted to the Carmelite Friars an annual rent of thirteen shillings and four pennies out of his lands in the south end of the Speygate for the safety of his own soul, and of the soul of Elizabeth his wife, the said Friars annually observing the anniversary of the donors, on the day of their decease, and solemnly on that day celebrating masses, with *Placebo* and *Dirige*.

* The charters now belong to the Hospital of King James VI. at Perth.

March 20, 1430-1.—Dougal Campbell, illegitimate son of Sir Colin Campbell of Lochow,* granted to the White Friars of Perth, during the whole term of his life, an annual rent of six shillings and eight pennies, to be paid on the Festival of John the Baptist, for the salvation of his soul, of the soul of his wife, and of the souls of others his parents, predecessors, and successors.

1432.—Sir Duncan Campbell of Lochow, with the consent of his son and heir Celestine Campbell, granted to the White Friars thirteen shillings four pennies out of lands in the Earldom of Menteith within the shire of Perth, for the salvation of his soul, of the souls of his wife and children, of his predecessors and successors, and of all the faithful dead.

April 16, 1436.—Andrew Love, goldsmith, burgess of Perth, granted to the White Friars an annual rent of five shillings four pennies out of four strips of land of his croft near the fullers' mill of the said burgh for a mass of repose to be sung yearly on the day of his decease, with *Placebo* and *Dirige*.

February 26, 1434-5.—Gilbert Brown, burgess of Perth, sold to Sir Simon Bain, chaplain, a croft of land, with the pertinents, on the west side of the King's road, leading to the Hospital of St. Leonard, between the ridge of John Donyng on the north and the Gowk-Hall on the south, out of which three shillings were to be paid annually to the Carmelite Friars of Tullilum.

August 7, 1464.—Christian Thomson, baker, burgess of Perth, made a donation of his entire tenement in the New Row to the Carmelite Friars, out of which they were to pay annually three shillings to the chaplain of St. Ninian's altar in the parish church of Perth, and three shillings four pennies annually to Michael Lockhart, his heirs and assignees. Christian Thomson died soon after granting this property to the White Friars, and Michael Lockhart, who had purchased from David Harrower an annual rent of three shillings eight pennies payable out of the tenement, disposed the same to the Friars on the 10th of October 1465; the said Prior and Convent, for the salvation of Mr. Lockhart's soul, and the souls of his

* One of the ancestors of the Earls and Dukes of Argyll.

predecessors, promising to cause suffrages of prayers, with one Mass, to be celebrated every second week by any Friar of the Convent, while Mr. Lockhart "lies unburied," and after his decease his anniversary to be annually observed.

June 6, 1471.—Andrew Charteris, burgess of Perth, alienated to the Carmelite Friars, for a "certain sum of money which the Prior and Convent in his great necessity had paid and delivered to him in well-told money," the sum of fifty shillings out of the tenement of the late Lawrence Dryden, on the east side of the Kirkgate, the sum of thirteen shillings four pennies out of the land of the late Andrew Cowpar, also on the east side of the same street, and the sum of thirteen shillings four pennies out of the ground of the tenement of James Fotheringham on the east side of the Meal Vennel, in fee and heritage for ever.

October 24, 1475.—Alexander Bedystoun, or Balderston, obliges himself, with the consent of his spouse Marion Bonkle, to pay to Friar John Walsh, Prior-Provincial, and the Convent of Tullilum, an annual rent of five merks out of a tenement belonging to him in feu from the said Convent on the south side of the North Street.* John Glassmount and Michael Lockhart bind themselves, conjunctly and severally, their heirs, executors, and assignees, as securities, failing the said Alexander Bedystoun, or Balderston, to keep the tenement in repair, that it may pay the foresaid sum.

October 12, 1484.—David Tod, burgess of Perth, signed an indenture with Friar John Walsh, Provincial Prior of the Carmelites, binding himself and his heirs to pay four and a half marks to the Convent of Tullilum annually out of a tenement on the south side of the South[†] Street of Perth.†

November 9, 1494.—John Kinglassy of Unthank, for the salvation of his own soul, and of the souls of his wife, children, predecessors, and successors, grants to the Carmelite Friars of Tullilum an annual rent of thirteen shillings and four pennies,

* On the back of the charter are written, in an old hand—"Now Andrew Marshall's land," and "Now John Drummond, glover, his land;" and in a modern hand—"John Donaldson's land in the High Gaitt."

† Written on the back of the charter, in an old hand—"The land now pertaining to Patrick Inglis;" and in a modern hand—"Now Thomas Inglis' land."

to be levied out of his whole and entire tenement* without the port of the Turret Bridge of Perth, at the west end of the foresaid burgh, between the road leading to the mills of the same burgh on the east, his land or house in which the late John King resided on the west, the road to the Convent of the Carmelites on the south, and the tenement of Alexander Lorimer on the north.

April 16, 1495.—Elizabeth Haldane, relict of Alexander Kinloch, grants to Robert Dalrymple, Provincial Prior of the Order of Carmelites in the Kingdom of Scotland, and his Convent at Tullilum, an annual rent of twenty shillings out of her tenement on the east side of the Watergate.†

May 30, 1499.—Thomas Duchal, with consent of his son and heir Thomas Duchal, grants to James Graham, Prior, and the Carmelite Friars, his tenement on the east side of the Meal Vennel, ‡ in pure and perpetual alms, that they may pray for him and his son foresaid, and for his predecessors and successors.

July 4, 1499.—Robert Esson resigns his tenement without the Turret Bridge, on the south side of the same, within the regality of Aberbrothwick, to Friar James Robertson, Prior, and the Convent of Friars Carmelites of Tullilum, in pure and perpetual alms, for suffrages perpetually to be performed by them after the decease of the foresaid Robert and his wife.§

April 26, 1500.—Robert Esson grants the above tenement to the Prior and Convent, on condition that they pay annually five shillings to the Abbey of Aberbrothwick, and nine shillings to Robert Watson, his heirs and assignees. On the same date John Simpson, burgess of Perth, grants his tenement without the Turret Bridge to the Friars, who are to pay five shillings annually to the Monastery of Aberbrothwick.

* Written on the back of the charter, in an old hand—"Now Robert Livingstone's land, called Saletthall;" and in a modern hand—"Now John Murray's."

† In an old hand—"Now Gilbert Ray's land;" and in a more modern hand—"Now Kilspindy's."

‡ On the back, in an old hand—"Now Robert Wilson's, mason, younger;" and in a more modern hand—"Now John Whytt's, writter."

§ In an old hand—"Esson his land above the Turret Bridge on the south syd;" also—"Now William Cok's land, sett in feu for five shillings feu-maill;" and in a modern hand—"Now David Laing's."

August 20, 1500.—Finlay Reid, burgess of Perth, resigned into the hands of Walter Tyrie, one of the Bailies of Perth, a tenement on the east side of the New Row, and the said Bailie gave seizin and perpetual possession of the annual rent of eight shillings, to the Prior and Convent of the Carmelites.*

May 27, 1514.—John Mathison, burgess of Perth, grants seizin to Richard Liddel, Sub-Prior, and the Friars, of the annual rent of twenty shillings out of his tenement on the east side of the Watergate, and confirming the donation of Elizabeth Haldane, relict of Alexander Kemlok or Kinloch, on the 16th of April 1495.

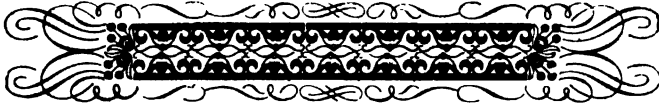
April 19, 1551.—Alexander Thomson, Prior of Tullilum,† and the Convent, acknowledge the loan of L.30 borrowed from John Gray, burgess of Perth, for the repair of the Monastery, and allocate to him two bolls two firlots of barley, and two bolls two firlots of oatmeal, to be annually delivered to him and his spouse Elizabeth Rollo, until they are able to repay the above sum.

Alexander Young was the last Prior of the Carmelites or White Friars of Tullilum. He chose to conform to the Reformation, and became minister of the adjoining parish of Tibbermore. He was alive in 1593, when John Young was minister of Methven, and he was allowed a pension of L.20 per annum by Mr. John Row (the first Protestant minister of Perth) and the Kirk-Session out of the sequestrated revenues of his once richly-endowed Monastery.‡

* On the back—"Now Mungo Campbell's land;" and, in a rental-book, or inventory, written in 1658, said to be the property at that time of George Auchinlek.

† On the 14th of October 1509, Mr. James Robertson, Prior of Tullilum, obtained seizin of a tenement on the north side of the North or High Street. In 1519 Andrew is mentioned as Principal of the Carmelites within Scotland.—Perth Town-Council Records, vol. i.


‡ Robert Ritchie is also mentioned as the last Prior of the Carmelites at Perth. On the 5th of December 1569 he reported to the Master of the Hospital that the then annual rent of the Carmelite Convent was only L.4:15s. sterling. On the 15th of March 1580-1 this Robert Ritchie was so poor, that the sum of ten shillings Scots, or *tenpence sterling*, awarded to him by the Kirk-Session, was an object to him.



The Carthusian Monastery or Charterhouse.

TRANSLATIONS AND ABRIDGMENTS OF THE CHARTERS* OF THE
“ PRIOR ET CONVENTUS DOMUS VALLIS VIRTUTIS ORDINIS
CARTHUSIENSIS, PROPE BURGUM DE PERTH,” OR, “ THE
PRIOR AND CONVENT OF THE HOUSE OF THE VALLEY OF
VIRTUE OF THE CARTHUSIAN ORDER NEAR THE BURGH OF
PERTH.”

LETTER OF WILLIAM, PRIOR OF GREAT CHARTREUX NEAR
GRENOBLE, IN DAUPHINY, TO JAMES I., DATED 19TH AUGUST
1426, EXPRESSING HIS OWN AND HIS CONVENT’S CONSENT TO
THE ERECTION OF A CARTHUSIAN MONASTERY AT PERTH.

 O the most Serene and Dread Sovereign Lord the
King of Scots, Friar William, the Venerable Prior of
the House of Great Chartreux, of the Diocese of
Grenoble, presents his suppliant reverence, with all religious
courtesy, and with the salutary suffrage of humble prayers.

Authorized by the General Chapter, whose duties we bear
upon our conscience, We, by the tenor of these presents, impart
and grant to you authority and consent formerly demanded
of us by your Serene Highness, to erect and construct one
House of our Order within your Kingdom, near to the burgh
of Perth, for the accommodation of thirteen monks and their
competent number of servants, who shall there serve God
perpetually, for the remeid of the soul of your Serene Majesty,

* Now belonging to the Hospital of King VI. at Perth.



Engraved for Thomas G. Steyer at his Book of Rem.

of the soul of the renowned Lady your Consort, and of the souls of your heirs, predecessors, and successors.

This House you consequently grant to endow with two hundred merks current in your kingdom, and to guard with privileges and liberties competent to the Order, attentive that the Place itself shall with all due proportion sufficiently correspond to the arrangement of our Order, as have been related to us by our venerable brother the Prior of the Mount of Grace,* and by Dean Bryce, professed of the same House, who, at our command, carefully surveyed the Place with their own eyes.

We trust that, under the blessing of God, the said structure, with the endowment suitable to royal munificence, shall soon be carried on to a good issue. Moreover, if your Serene Highness desires the presence of two monks, who may give more certain information concerning those buildings which best correspond to the fashion and form of our Order, we now write partly of that matter to the said Prior of the Mount of Grace, as is more largely contained in the letters addressed to him, sent along with those to your Royal Majesty.

Given at Chartreux, the nineteenth day of the month of August, in the year of our Lord one thousand four hundred twenty-six, under the authentic seal of the said House, in witness of the premises.

April 6, 1429.—Robert Wright, burgess of Dundee, in presence of a notary-public, constituted and ordained Richard Wright his son and heir, Thomas Fotheringhame of Powrie, and Master Alexander de Guthry, conjunctly and severally, his procurators, for mortgaging, granting by the title of mortgage, and consigning by writ, a whole and entire tenement, with the pertinents, lying within the burgh of Perth, on the south side of the Bridge of Tay, between the land of Thomas de Moncrieff and the Water of Tay, to be mortgaged to any person or persons, for such price or prices as the said procurators shall be pleased to accept, who have power to put their seals to writings, and to do every thing legal and

* The Carthusian Monastery of the Mount of Grace of Ingilby, in Cleveland, Yorkshire, was founded by Thomas Holland, Duke of Surrey, in 1396.

customary in such a transaction.* The notarial attestation written by John Idell, clerk to the Diocese of St Andrews, and by imperial authority notary-public.

July 4, 1429.—Thomas (Anderson) de Culgask, burghess of Perth, grants to the Carthusian Monastery an annual rent of eight shillings out of his croft in the New Row,† or Barker Row, without the ports of the burgh of Perth, between the land of Andrew Bisset on the north, and the common pavement or street extending to the said Carthusian House and St. Leonard's on the south.

About 1430.—Alan Thomson, burghess of Perth, sells his entire tenement, with the pertinents, lying between the King's ditch on the east, and the land of Andrew Pitscottie on the west, which land is enclosed for the use and property of the said Carthusian House, for a certain sum of money which Friar John, Governor of the said Charterhouse, in name and on the part of the most excellent Prince our Sovereign Lord, by the grace of God the most illustrious King of Scots, paid to him in his own hands, in numbered money, in his great necessity; the whole and entire said land, with its pertinents, to be held and retained to the foresaid Prior and Convent of the said Charterhouse in fee and heritage for ever.‡

March 31, 1435.—William, by divine permission Abbot of the Monastery of Scone, and the Convent of the same place, grants, for the annual payment of one pound of wax to the Convent of Scone, to Adam Hangleside, Prior of the Carthusian House, and the Convent of the same House, a land or tenement in Perth.

* Written on the back of charter, in an old hand—"It appears by the bounding of the same land to be now Robert Fleming's land, and has been bought by the Prior (and Monks) of Charterhouse, because they constructed the said land, and sett it in feu for L.21 money yearly." In a more modern hand—"Now the heirs of James Dykes." On the 24th of February 1429-30, Robert Wright resigned this tenement to the Lord Prior and Carthusian Convent.

† Written on the back of charter, in a more modern hand—"Now William Mercer's."

‡ Written on the back, in a very old hand, evidently by one of the Monks—"De terra Alani Tomsoun, quæ includitur ex parte orientali infra ambitum Domus hujus;" and also in an old hand—"Pro loco fundationis Monasterii in parte."

January 30, 1437-8. — William de Wynde, burgess of Perth, agrees to an indenture with Adam de Hangleside, Prior of the Charterhouse, in which the said William de Wynde grants in pure and perpetual alms, for the salvation of his own soul, the soul of Elizabeth his wife, the souls of their children, predecessors, and successors, and also the souls of all Christian men deceased, his whole and entire land with its pertinents, vulgarly called the croft of William de Wynde, on which (*super qua*) the foresaid House of the Valley of Virtue was founded, between the garden of Baldwin Seres on the east, the street which leads to St Leonard's on the west, the land of Andrew de Pitscottie on the south, and a land which belonged to the late John de Spens of Bothquhopill, on which land also a part of the said house was founded, on the north. And in compensation for the said land, charitably granted to the said House as before expressed, the foresaid Prior and Convent of the said House have given and granted to the said William and Elizabeth, during the term of their lives, and to the longest liver of them two, the lands and crofts underwritten, with their pertinents—to-wit, that croft, with its pertinents, which is called the Haugh of St Leonard's, as it lies in length and breadth on the south side of the Valley of Virtue; * one acre of the land of St. Leonard's lying on the west side of the said Haugh, above and on the Mount; the hen-croft, with its pertinents, lying on the north side of the church of St Leonard's; one piece of land lying next to the said church of St Leonard's, extending downward to a certain fountain called Lethe; the Thorny Croft, lying between the church of St Leonard's and the torrent of Craigie; one piece of the land of St Leonard's which is called the *Tongue*, on the north side of the bridge of St. Leonard's, and near the street of the same; two ridges lying on the west side of the same street, between the land of Andrew Constable on the south, and the land of Andrew de Inchmartine on the north; also five ridges of St Leonard's, lying on the west side of the said street, between the land of the late John Lethe on the north,

* From this it appears that the Friars had given the epithet of their Order to the locality in which the Charterhouse was erected.

and the land of Richard Harrower on the south :* which croft before mentioned, granted by the said William to the said House of the Valley of Virtue, the said William bound himself and his heirs to warrant, acquit, and faithfully defend to the Prior and Convent of the said House, and to their successors who shall be at the time, for ever, by all their lands and possessions. And the same Prior and Convent bound themselves to warrant, acquit, and faithfully defend, to the said William, and Elizabeth his wife, and to the longer liver of them two, the lands granted to them by the said Prior and Convent in the manner before expressed ; all which lands, after the decease of the foresaid William de Wynde, and Elizabeth his wife, shall return to the said House of the Valley, and for ever remain with it, so that no farther claim shall be made concerning them by law either civil or canonical.

July 4, 1441.—William de Wynde ratifies the donation of his croft to the Charterhouse, and binds himself and his heirs not to contradict the donation under the penalty of L.1040 of the usual money of Scotland, which sum, with divers other goods and moneys he had before received from the Prior and Convent, to induce him to make the donation of his croft.

1441.—Thomas Gilbert, burgess of Perth, sells to the Carthusian Monks an annual rent of one merk out of his tenement on the south side of the North Street of Perth,* between the land of William Duchal on the west, and the land of Thomas Purrock on the east, for a certain sum of money which the said Prior and Convent in his necessity gratefully paid into his hands.

June 17, 1442.—Thomas de Culgask ratifies a donation he had made on the 4th of July 1429, of eight shillings of annual rent out of his croft in the New Row, which donation he had granted in the second year of the foundation of the Carthusian Monastery, in which year he also gave a piece of land called the Ridge, a part of the ground on which the Monastery was erected.

* William de Wynde, on the 23d of April 1446, renounced for a sum of money the liferent of these lands from the Monastery.

† On the back of the charter—"Now John Lowry's land in 1590;" and in a more modern hand—"Now George Wilson's."

1444.—John de Fotheringham, burghess of Perth, grants to the Carthusian Monastery an annual rent of thirteen shillings and four pennies out of the land of Thomas Gilbert, also an entire tenement on the south side of the North Street of Perth, burdened with annual rents to several burghesses.*

1454.—James Scott, burghess of Perth, sold to the Carthusian Monastery an annual rent of eight shillings payable to him out of the ground of part of a garden of the said Monastery in the Barker Row, before the gate of the Monastery.

March 25, 1451.—Maurice Barry, Prior of Charterhouse, and the Convent, grant in feu to Alexander Vedor, a land of theirs in the New Row, for which he was to pay to the Abbey of Lindores two shillings of annual rent, to the heirs of the late Thomas Scott, burghess of Perth, eight shillings yearly, and to the Carthusian Monastery thirty shillings yearly.

April 18, 1452.—William Anderson, burghess of Perth, confirmed the annual rent of eight shillings granted by his grandfather Thomas, commonly called Culgask, and on the 28th of that month he granted seizin to Dean Simon Fernely, Vicar of the Charterhouse.

March 13, 1453-4.—Sir John Sprunt, chaplain, granted seizin to Dean Martin de Groether, Prior of the Charterhouse, of a tenement on the south side of the South Street, of an annual rent of thirteen shillings four pennies out of a land on the north side of the South Street; also, of an annual rent of forty shillings out of an acre of land on the west side of the New Row.

1458.—Dean William de Ghent, Carthusian Monk, son and heir of the late Martin de Ghent, burghess, granted to Dean Simon Fernely, Prior of the Carthusian Monastery, or House of the Valley of Virtue, an annual rent of twenty shillings out of his tenement in the Watergate at the end of the same, between the land of John Gray on the north, and the land of the late John Vair Akin (Aitken) on the west.

* On the back of the charter, in an old hand—"Carta John Fotheringham de terra quondam Margaret de Balfour, necnon 13s. 4d. de terra Thomas Gilberti in Via Borealis." In a more modern hand—"Thirteen shillings and four pennies out of a land on the south side of the North Gaite, now George Wilson's, wright."

February 1, 1461-2.—Dean Simon Fernely, Prior of the House of the Valley of Virtue of the Carthusian Order, grants in feu to Thomas Cowpar and his heirs a tenement on the south side of the South Street of Perth, between the tenements of David Millar on the east and John Allan on the west, for the annual payment of thirteen shillings four pennies to the chaplain of St Nicholas' altar, and twenty shillings yearly to the Charterhouse; the said Thomas and his heirs not to sell or alienate the said tenement, nor sell or mortgage any annual rent out of it, without the consent of the Prior and his successors.*

February 11, 1461-2.—Sir Henry Robertson, Vicar of Auchtergaven, and chaplain of the Holy Rood altar in the parish church of Perth, grants to Prior Simon Fernely and the Carthusian Monastery, with consent of Andrew Spens, a certain tenement, with its pertinents, on the north side of the South Street of Perth, between the tenements of Maurice Brown, weaver, and of Sir John Sprunt, chaplain, on the west and east.

April 30, 1464.—William Hume, burgess of Perth, sells to the Carthusian Monastery an annual rent of twelve shillings out of the land of the late James Brown on the north side of the South Street, between the land of John Lyall on the east, and the Common Vennel, extending to the church, which is commonly called the Ratton-Row, on the west; and Alexander Scott, one of the Bailies of the burgh of Perth, gave legal seizin and possession to Dean Andrew Telfer, Procurator at the time of the said Monastery, in name of the Prior and Convent.

December 10, 1464.—Andrew Constable, burgess of Perth, sells to the Prior and Convent of the House of the Valley of Virtue of the Carthusian Order, near the said burgh, a gild rood of his land lying without the said burgh, on the west side of the pavement or King's Street, extending to the chapel of St Leonard, between the crofts of the lands of St Leonard on the north and south, from the said pavement on the east

* On the back of the charter, written in an old hand, either by one of the Monks, or by David Thomson, the Notary-Public—" *Copia literæ terræ quondam Johannis Elder in Via Australi Burgi de Perth.*"

to the croft commonly called Leonard Ley on the west, of which Alexander Bunch, one of the Bailies of Perth, gave legal seizin and possession to Dean Simon Fernely, Prior of the said Carthusian House, in name of himself and his Convent.

August 2, 1468. — Alexander Cowan, burgess of Perth, obtained in feu from Andrew Telfer, humble Prior of the House of the Valley of Virtue of the Carthusian Order near Perth, with assent and consent of the Convent, their whole and entire tenement in the New Row, between the tenement of James Scott on the north, and the road to Stirling on the south, for the annual payment of thirteen shillings four pennies to the chaplain of St Paul's Chapel, and sixteen shillings eight pennies to the Carthusian Monastery.

February 26, 1471-2. — *James III. to the Community of Perth.* — JAMES, by the grace of God, King of Scots, to Robert Donyng, alderman of our burgh of Perth, Andrew Charteris, Robert Mercer younger, Patrick Wallis, John Lyn, Robert Blair, John Rattray, Alexander Scott younger, John Ochiltree, Henry Hareland, George White, David Harrowar, and Richard Kelt, greeting : — Forsameikle as it is heavily moaned and complained to us by our devout Orators the Prior of the Charterhouse and Convent of the same, that whereas they are infest perpetually by our noble progenitor, our grandsire, whom God assoilzie, of a water-conduit lying in the mill-dam of the said burgh out of the Water of Almond, whilk were most expedient to them, of two feet of breadth, ye have now of late, the time that said Orator, the Prior of the said Place, was here with us at Edinburgh for the expedition of divers matters, with great violence, and contemning of our authority in the breaking of our said foundation, come to the said mill-dam, and broken the said conduit, whilk extended not half a foot of breadth, in great lightlieng and derogation of our Majesty, and in great skaith and hindrance to our said Place : Our will is herefore, and we charge you and ilk ane of you straitly, and command that, incontinent after the sight of these our letters ye reform and amend the said conduit upon your own expenses, in so far as ye have skaithed and broken the same, and that we may hear no more complaint thereupon in

time coming, under the pain of recognition of the sheriffdom of our said burgh, and warding of your persons. Delivering these our letters, by you and ilk ane of you seen and understood, again to the bearer. Given under our signet at Edinburgh, the twenty-sixth day of February, and of our reign the twelfth year. — JAMES R.

November 10, 1475.—John Hadington, Bailie, declared a process, commenced on the 3d of October, by Friar John Davidson, Prior of the House of the Valley of Virtue of the Carthusian Order near the burgh of Perth, recovering a tenement on the south side of the North Street, which ought to have paid to the Monastery twenty-four shillings annually.*

November 8, 1481.—The community of Perth grant to the Carthusian Monastery a waste piece of ground on the east side of the Speygate, about three feet from the town wall, the Monastery to pay yearly one pound of wax.

February 8, 1481–2.—Robert of Donyng,† burgess of Perth, having mortgaged to Sir John Myrtoun, Prebendary of Forgan, two merks of annual rent out of a tenement on the west side of the Watergate, grants the said annual rent for ever to the Carthusian Monks on the condition of their redeeming it.‡

September 26, 1482.—Dean John Davison, Prior, resigns a garden without the South-Gate Port into the hands of John Hadington, Bailie, who gives seizin to John Luswayl, Loveveal, or Lovell.

February 10, 1486–7.—Robert Carwar, or Carver, binds himself and his heirs to David Simson, Prior of the Charterhouse, and the Convent of the same, to implement the conditions on which he held in feu from the Monastery in the Saltmarket, or north side of the South Street, a tenement or back land, with a booth, between the land of Master Robert of Chaumyr (Chalmers) on the east side, and the Common Vennel

* On the back, in a modern hand—"Now Hugh Craigdallie's land."

† A Robert Donyng is recorded as Provost of Perth in 1472, in 1474, in 1477–8, in 1480, in 1482, in 1485, and in 1492.

‡ On the back, in a very old hand—"Litem de fundo terræ quondam Alexandris Broky, et commune nuncupata Præpositi de Mefane" (Methven) "in Via Aqua." In a more modern hand—"Now the land of Elizabeth Sanders."

on the west side. The penalty of non-fulfilment to be a payment of twenty merks to the Prior and Convent.*

February 20, 1486-7.—John Donyng,† son and heir-apparent of Robert Donyng, with consent of his father, sells to the venerable and religious men, Prior David Simson and the Convent of the Valley of Virtue of the Carthusian Order, near Perth, an annual rent of twenty shillings to be paid out of the whole and entire tenement, with its pertinents, of William Scott, on the south side of the South Street, between the land of the late Henry Harelaw on the west, and the land of John Taylor on the east.‡

December 8, 1488.—Robert Lourison, burgess of Perth, grants to the Carthusian Monastery a tenement on the east side of the Speygate of Perth, as payment of a sum of money which his deceased brother Edward owed to the Convent, one pound of wax to be paid annually to the master of the fabric of the Bridge of Tay, and eight shillings to the chaplain of All Saints' Altar.§

May 16, 1495.—Sir Robert Heriot, chaplain, grants to Prior Walter Lyall and the Carthusian Monastery a tenement on the north side of the South Street, out of which eleven shillings ten pennies were to be paid to the chaplain of St

* On the back, in an old hand—" *Obligatio Roberti Carwour, Burgensis de Perth;*" also in an old hand—" *Salt-Mercat;*" and in a more modern hand—" *Now the Hospital's in the Salt-Mercat.*"

† A gentleman named John Donyng is recorded as Provost of Perth in 1515-6, and in 1533.

‡ This tenement is described on the back of the charter—" *Now, in 1599, the land of John Colt, at the South-Gaitt Port;*" and in a more modern hand, " *Now Isoble Robertsons's.*" On the 23d of April 1487, John Donyng granted his resignation for seizin to the Convent of this donation, and actual seizin was obtained by the Prior on the 26th of that month. This John Donyng, on the 17th of March 1501-2, sold to Alan, Prior of the Charterhouse, and the Convent, four ridges of land on the east side of the street called the Lang Causeway, extending to St Leonard's Bridge and the Torrent of Craigie, and also an annual rent of fourteen shillings four pennies, of which legal seizin was given by Andrew Bunch, one of the Bailies.

§ The tenement, which lay between the land of the Abbot and Convent of Aberbrothwick on the north, and the common passage to the town-wall on the south, is described in an old hand as " *the land and yaird near the Spey Towre;*" and in a more modern hand—" *Ane land in the Speygaite, and eist syd thereof, now the Toune's property.*"

Lawrence's Altar in the parish church, and nine shillings two pennies of annual rent to Andrew Bunch, his heirs and assignees.

April 14, 1498.—James Stewart, Earl of Buchan, son of Sir James Stewart, the Black Knight of Lorn, and of Queen Jane, Dowager of James I., grants to Prior John and the Convent of the Valley of Virtue of the Carthusian Order his garden near the Spey(gate) at Perth.*

April 17, 1499.—John Ramsay grants to Prior John and the Convent an annual rent of three shillings out of his land without the Turret Bridge, in warrandice of the rent due out of the land commonly called the Leonard's Rud.

September 15, 1500.—John Paull grants to John, Prior of the House of the Valley of Virtue, and the said Convent, his tenement on the north side of South Street, on the conditions that twelve pennies be annually paid to the chaplain of St Bartholomew's Altar, and six shillings eight pennies yearly to the chaplain of St. Margaret's Altar, in the parish church of Perth.

March 26, 1502.—James Drummond, burgess of Perth, and collector of the King's Customs in the said burgh, having intromitted with twenty merks payable out of the customs to the Carthusian Monastery, assigned to Prior Allan and the Convent a right for seven years to forty shillings, to be paid annually for seven years out of his crofts and buildings above the east end of the Bridge of Tay in the Barony of Kinnoull.

June 12, 1503.—Dean William Turnbull, Procurator of the Charterhouse, obtains, in name of the Prior and Convent, seizin of a tenement on the south side of the North Street, and also of a garden on the west side of the New Row.

April 15, 1504.—John Rattray of Leitchhill, burgess of Perth, sells to Alan, Prior of the Charterhouse, and the Convent of the same, his field and ridge, one acre Scots in extent, contiguous on the west side of the Lang Causeway, near the Leonard Bridge, twenty-seven shillings to be paid annually to St Stephen's Altar in the parish church.

* This grant was confirmed, on the 1st of June 1520, by Robert Mercer of Balleif. It is described as the "Tongue Yaird, now Alexander Whytt's acres."

December 18, 1508.—Simon Aberdour, burghess of Perth, sells to Andrew Thomson a tenement on the north side of the South Street, for the payment of twenty-four shillings of annual rent to the Charterhouse, and eight shillings of annual rent to the Altar of the Holy Cross, Holy Blood, or Holy Rood, in the parish church.

July 14, 1517.—James Ross, Laird of Craigie, confirms to Hugh, Prior of the House of the Valley of Virtue, and the Convent of the same, a right to a stone quarry granted by his deceased father.

March 5, 1517-18.—Robert Ramsay, burghess of Perth, son of Marjory Culgask, alias Anderson, grants to Prior Hugh and the Convent a pound of wax yearly out of his garden on the east side of the Speygate, leading to the place of the Grey Friars, between the land of the Abbot and Convent of the Monastery of Coupar on the south, a certain waste land* belonging to the Earl of Huntly on the north, the Water of Tay on the east, and the foresaid public street of the Speygate on the west.

January 30, 1525-6.—Robert Eviot, son of the deceased John Eviot of Balhousie, sells to Hugh,† Prior of the Carthusian Monastery, and Convent, an annual rent of forty shillings out of his front and back tenement with its pertinents, lying on the south side of the North Street, for a sum of money which the said Prior and Convent had paid to him in his great necessity.

February 4, 1526-7.—Sir John Lovel, chaplain, grants to Prior Hugh and the Convent, a stripe of land near the Charterhouse, and thirty shillings out of a tenement in the South Street.

August 21, 1527.—William Trippis, burghess of Perth,

* A curious reminiscence is connected with this "waste land." Alexander third Earl of Huntly died on the 19th of January 1523, and his Countess, Elizabeth Gray, who died about 1526, built a house on the ground, which after her decease became the property of the Lords Ruthven, and was the original Gowrie House. William fourth Lord Ruthven and first Earl of Gowrie enlarged the house built by the Countess of Huntly, in the summer of 1579.

† On the 1st of October 1526, Hugo, Prior of the Carthusians, presented a tenement in the Watergate, near the Tower of Spey, for the annual payment of a pound of wax. In that year Sir Robert Mercer is mentioned as Procurator of the Order.—Perth Town-Council Records, vol. i.

grants to Prior Hugh Moryn and the Carthusian Convent his front tenement without the Turret Bridge on the north side, nine shillings four pennies to be paid yearly to St Peter's Altar in the parish church.

May 6, 1530.—Christian Cromby, wife of Andrew Bunch, senior, resigned her conjunct right of a fee of a tenement on the north side of the South Street, and also an annual rent of nine shillings two pennies out of an adjoining tenement pertaining to the Charterhouse, to Sir Simon Young, Dean of Christianity of Gowrie, and Commissary of George Crichton, Bishop of Dunkeld, in favour of the Carthusian Monastery.

March 21, 1546–7.—Prior Adam Forman and the Convent present Sir David Ray to the chaplaincy of St Fillan in the parish church.

June 11, 1552.—Catharine Oliphant, wife of Thomas Lamb, burgess of Perth, renounces her liferent of a tenement on the north side and of another on the south side of the South Street, that her son Patrick Lamb may be at liberty to sell the one to the Carthusian Monastery, and to grant warrandice on the other.

August 28, 1552.—Alexander Bunch, burgess of Perth, borrows from Adam Forman, Prior, and the Convent, twenty merks, which he promises to pay before Christmas, failing which he binds himself to give charter and seizin to the Carthusian Monastery on twenty shillings of annual rent out of a tenement occupied by himself on the west side of Bunch's Vennel in the North Street.

March 7, 1558–9.—Adam Forman, Prior, and the Convent, grant to John Letham in Pittheaveless a seven years' lease of tenements on the west side of the New Row.

Two months and a few days after the date of this last charter the Carthusian Monastery was entirely demolished by the reforming insurgents. John Knox boasts of the lenient treatment which Prior Forman experienced on that occasion — “The Pryor of Charterhouse was permitted to tak with him evin so much gold and silver as he was weill able to carie.” *

* Historie of the Reformatioun of Religion, folio, Edin. edit. 1732, p. 128.

The following Abstract of Rental of the Charterhouse, about the year 1440, is from a document entitled—"An Inventory or Register of the Farms and Annual Rents, Profits, and other Fruits, of all the Lands and Possessions of this House of the Valley of Virtue of the Carthusian Order, arising from the Donations of the Sovereign Lords the Kings our Founders,* and also from the Donation of others of the Faithful in Christ."

The lands of Friarton (Freetown),	L.26	13	4
The fishings of Kellok on the lands of Friarton, sometimes more and sometimes less, but according to the medium,	4	0	0
The lands lying round the Chapel of the Blessed Mary Magdalene, annually,	5	0	0
The Leonard Ley, annually,	5	0	0
The crofts round the Chapel of St Leonard, annually,	4	0	0
The Leonard Haugh, annually,	1	0	0
The Garden before the Great Port, though it is of more value, yearly,	1	18	0
Out of the land of Stephen Ross, at the Quay, annually,	2	13	4
Out of the land of John Whyte in the Kirkgate,	1	4	0
Out of the land of Andrew Love, goldsmith, in the same street, annually,	0	6	8
Out of the land of Martin Taylor in the North Street, do.	0	7	0
Out of the land of William Soulis in the North Street, do.	0	15	0
Out of the land of William Craig in the North Street, do.	0	3	4
Out of the land of Walter Edwy in the North Street, do.	0	13	4
	<hr/> L.53 14 0		

* James I. was the actual founder, but James II., on the 5th of June 1441, confirmed his father's charter of foundation. The Carthusian Monastery, however, was always a place of royal favour. In its church was interred the Princess Margaret, daughter of Henry VII., sister of Henry VIII., and dowager of James IV., by whom she was the mother of James V. She died in 1541 at Methven, and was laid in the same tomb with James I.

	L.53 14 0
Out of the land of James Brown in the South Street, at the east end of the Ratton Raw, annually,	1 0 0
Out of the land of the late Thomas Curroure in the South Street, do.	0 6 0
Out of the land of John Curroure, painter, in the same street,	0 3 0
Out of the land of the Scholars near the Spey Tower,	0 13 4
Out of the Mills of Perth,	5 12 0
Out of the fishing of Poldsart,	1 6 8
Out of the rood of land at the north end of the Barker Row, near St Paul's Chapel,	0 3 0
	<hr/> L.62 18 0

" Our Founder, whose memory is always to be remembered and revered, the Sovereign Lord King James I. of that name, gave to us the lands and annual rents above written.

" The annual rents from the Faithful are L.2 : 15 : 10."*

The foundation of the Charterhouse of Perth was considered a splendid event, if we are to credit the rhyming legend—

" Annus millenus vicensus sicque novenus,
Quadringscentus Scotis fert numera plenus;
Semina florum, germina morum, mystia mella,
Cum tibi, Scotia, fit Carthusia sponsa novella."

Oswald de Corda, Vicar of the Great Charterhouse of Grenoble, was the first Prior of the House of the Valley of Virtue at Perth. He died on the 1st of October 1434, and was succeeded by Adam de Hangleside, a Scotsman. The last ecclesiastical Prior was Adam Forman, who after the demolition retired with his brethren to Erroll, of which church they were patrons, and he there feued, with consent of the fraternity, to John Foreman, son and heir of Robert Foreman of Luthrie, the lands of the Chapel of St Mary

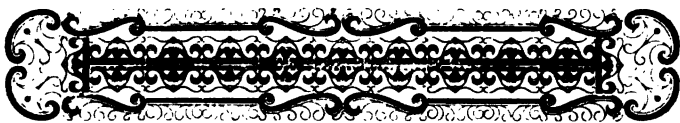
* In 1466 the Prior of the Charterhouse, or Convent of the Valley of Virtue, was to receive the *decimas garbales et prediales* of certain lands both cultivated and uncultivated.—Tract on Monastic Antiquities relative to Dunfermline, by Sir John Graham Dalryell, Bart., 12mo. Edin. 1809, p. 33.

Magdalene called the lands of Friarton, the lands of Craigie, the South Island of the burgh of Perth in the Tay, and his salmon fishings in that river. On the 14th of November 1569 the Prior and Convent conveyed to John Moncrieff the place, house, whole and entire lands, orchards, and gardens of the Charterhouse, the close and ditch, the dams or bulwarks, with their tithes, within the bounds limited by ancient custom; also two tenements within the burgh, and tenements and gardens without the same. This was confirmed to James Moncrieff on the 18th of May 1578. Subsequently George Hay of Nethercliff* was constituted Commendator of the Charterhouse, with a vote and place in Parliament, together with "all and sundry churches, teind-sheaffs, and other tithes belonging or can justly belong to the said Priory, with the principal manor-place, buildings, gardens, and orchards within the precinct and enclosure of the Monastery of the Charterhouse." On the 1st of February 1598, James VI. granted to George Hay of Nethercliff the church lands of Erroll on resigning his title of Lord Prior of the Charterhouse.


It appears from some old records that the Carthusians were earlier at Perth than 1429, though that was probably the year of the erection of the Charterhouse. James I., who was murdered in the Convent of the Black Friars at Perth, was interred in the church of the Charterhouse, as were also his Queen Jane, grand-daughter of John of Gaunt, third son of Edward III., and, as previously mentioned, Margaret, Queen of James IV. and daughter of Henry VII. The doublet in which James I. was murdered was kept in the Charterhouse as a relic. It was preserved after the Reformation, and Gall relates that he had seen in it the holes through which the King was stabbed to the heart.

The Carthusian Monks of Perth always maintained a good reputation, and adhered strictly to the rules of their Order. One of them was Patrick Russell, who continued Fordun's History of Scotland.

* Lord Chancellor of Scotland in 1622, created Viscount Dupplin and Lord Hay in 1627, and Earl of Kinnoull in 1683.



Church of St John the Baptist and its Chapels.

HE most interesting edifice in Perth, as a memorial of the olden time, and from which the "Fair City" derived its very common appellation of St Johnstown, is the Gothic Church dedicated to St John the Baptist, the tutelary Saint of the citizens. This venerable structure is in the very centre of the city, and its square tower, anciently much higher than as it now appears, is conspicuous in all directions. The interior has been long disfigured by the subdivision into three parish churches of the Presbyterian Establishment, but the Church in its original state, when served by the Vicar of Perth, was a long edifice extending much farther westward. It is traditionally said that the Picts, after they embraced Christianity, dedicated the Church and Bridge of Perth to St John the Baptist. From this circumstance the town was popularly designated St Johnstown, and it is often mentioned as such by old historians and in ballads, though it is not so recognized in any public document. The burgh seal used from the year 1400 to the Reformation, many impressions of which are appended to the charters of the former Religious Houses, represents on one side the decapitation of the Baptist, Salome holding a platter to receive the head; on the obverse the Baptist appears as enshrined, and supported on each side by two figures, probably designed to indicate priests, with this legend on both sides—"s: COMMUNITATIS VILLE SANCTI JOHANNIS BAPTISTE DE BERTH." Whatever credibility may be attached to the alleged Pictish selection of the Baptist as the tutelary Saint of the "Fair City," the founder of

the original or of the present Church of St John, and the date, are unknown. An edifice appears to have existed before the tenth century, and the church so called in the beginning of the thirteenth century was large, and of considerable architectural pretensions. In 1226 St John's Church was granted to the Monks of Dunfermline,* in the reign of Alexander II., and during a century afterwards it was allowed to become ruinous, the worthy Benedictines endeavouring to impose the burden of keeping the fabric in repair on the citizens, and they in turn retaliating on the Monks, King Robert Bruce, in a charter dated at Glasgow in 1329, the year of his death, granted to the Abbot and Convent of Scone a supply of stones from two specified localities for the construction of the Church and Bridge of Perth,† but the repair was partially effected, and it was neglected after his decease. It is stated that Edward III. of England killed his brother John Earl of Cornwall with his own hand before the high altar in St John's Church in 1336,‡ for ravaging various districts of Scotland; yet the English historians are silent on this important event, and merely record that the Prince died in October that year at Perth, where, though then young, he had been left with the command by the English monarch. St John's Church, as it existed at the commencement of the fifteenth century, was in complete repair. The choir or east end had been rebuilt; the former altars, with the exception of the great altar of St John the Baptist, had been removed, but several additional ones were founded, as is intimated in the subsequent list.

The edifice as it now appears is of various dates, and has undergone numerous internal and external alterations. The interior is much deformed by the mode in which it is arranged, the partition-walls completely destroying the architectural

* See also the various charters enumerated in the "Tabell of the Auld Registre vithe the Treine Brode," and in the "Index Locorum" in the "Registrum de Dunfermelyn; Liber Cartarum Abbatie Benedictine S. S. Trinitatis et B. Margarete de Dunfermelyn," printed for the BANNATYNE CLUB, 4to. Edin. 1842.

† Liber Ecclesie de Scon, printed for the MAITLAND CLUB, 4to. Edin. 1843, p. 103.

‡ History and Chronicles of Scotland, written in Latin by Hector Boece, Canon of Aberdeen, and translated by John Bellenden, Archdean of Moray and Canon of Ross, 4to. Edin. 1821, vol. ii. p. 432.

effect. The length of the entire building outside the walls is two hundred and seven feet. Four massive pillars support the square tower in the centre of the edifice, and sufficiently indicate the ancient grandeur of this part of the original edifice. The height of the tower is one hundred and fifty-five feet, and with the exception of a clumsy wooden erection of a pyramidal form, covered with lead, and termed in an act of the Town-Council in 1675 the "pricket of the steeple," exists in its original form, though, as already stated, much reduced in height. The underground of St John's Church was anciently a burial-place, and outside of the edifice, surrounding it, was a cemetery, which is now covered by streets.

St John's Church contains several ancient bells, some of which summoned the citizens to their devotions before the Reformation, and the others are old bells recast. By the persevering examination of William Ross, Esq., Writer, Perth, who kindly furnished the result of his investigations, the following may be received as an accurate description of these interesting memorials of former times.* The oldest bell is one which contains the following inscription — "*Joannes Baptista vocor ego vox clamantis in deserto: Mecklini Petrus Magheneus† me formavit: sic benedictus qui cuncta creavit, 1506.*" Another is a small bell which was formerly at the Depôt, where the Penitentiary now is, on the South Inch, and latterly at the Stock-market. This bell, which is broken, is called respectively the *Curfew Bell* and the *Little Skelloch Bell*,‡ but this appears to be a mistake, and it evidently belonged to one of the old religious houses. It contains a coronet, the word *Ecce*, the figure of a cock crowing, the words *Agnus Dei*, between which is an obliterated figure, and no date. In the description of the *Curfew Bell*, properly so called, Mr Ross states that the Latin inscription is different. A bell which was recast in 1805 by Thomas Mears and Son of London, contains the following inscription, which is evidently that of

* It may be here stated that the particulars in the account of Perth, in the "New Statistical Account of Scotland," for which Dr. W. A. Thomson, formerly one of the Established Presbyterian Ministers, is responsible, are most inaccurate and erroneous.

† Malines, by Peter Magan.

‡ The word *skelloch* means *shrill*.

the original—“*Joannes Baptista vocor : nos autem gloriari oportet in cruce Domini nostri Jhesu Christi, anno Domini 1520 ; facta sum Mecklini per Georg. Maghen. : ego vox clamantis in deserto, Parate viam Domini.*” It is also probable that the bells of 1767, 1785, and 1837, are old bells recast.

Before the Reformation the Sacristy, afterwards the “Revestry,” or Kirk-Session house, in which the Records were preserved, was on the north side of St John’s Church, and was subsequently a dismal-looking adjunct projecting into the Kirkgate, its windows strongly grated with iron bars, the seats and chests of oak, and the entrance by a small door within the edifice. This part of the structure is removed, and also Halkerstone Tower—a beautiful specimen of groined architecture above the north porch, consisting of two repulsive cells above each other ; one for culprits, and the other for unclaimed dead bodies. In the east wall of the church is a flat tomb-stone of blue marble, on which are carved two human figures supposed to represent the murdered James I. and also his Queen. In this part were kept, long after the Reformation, the fire-engines, the gibbet, the wood used for the scaffold, the gallows ladder, the hurdle in which criminals were conveyed to execution, and other materials, which the good taste of recent times has expelled to more appropriate repositories. Such is an outline of the parish church of St John the Baptist at Perth, in which Knox thundered the memorable sermon exciting the mob to destroy the pious foundations and erections of nearly two centuries, and which before the Reformation had to compete with the monastic churches in the “Fair City” begun in the reign of Alexander II. As Perth previous to the Reformation had only one Vicar, notwithstanding the numerous chaplains and other ecclesiastics within its limits or in its immediate neighbourhood, in like manner one “Minister” was considered sufficient for the religious instruction of the people till 1595, when the future Bishop Coupar of Galloway was admitted colleague to Mr John Malcolm.

The connection of the Abbey of Dunfermline with St John’s Church at Perth is previously noticed. It may be also stated

that the first ships arriving in Perth paid those monks five merks of silver annually for vestments, and in 1440 the said monks, in an agreement between them and the town of Perth, protested that they did not relinquish special funeral emoluments, offerings of wax, money, horses, and other mortuaries.* After the Reformation the Church of St John was legally granted to King James VI.'s Hospital, and the Kirk-Session superintended the fabric many years, but every thing connected with it has long been the property of the Town-Council and the Incorporated Trades.

FOUNDATION CHARTERS OF THE ALTARS IN THE PARISH CHURCH
OF ST JOHN AND ITS CHAPELS.†

1. ST NINIAN'S ALTAR.—*August 14, 1401.*—Robert Brown, burgess of Perth, founded the Altar of St Ninian, Bishop of Galloway, in the parish church of Perth, and provided ten merks annually, or L.4:15:6, with two booths or shops in the North Street, to the chaplain.‡

2. ST JAMES THE APOSTLE'S ALTAR.—*About 1402.*—John Aitcheson, burgess of Perth, granted to his kinsman, John Fairlie, and Marjory, intended spouse of the said John Fairlie, a tenement on the north side of the South Street, out of which an annual rent of twenty shillings was to be paid to the chaplain of St. James' Altar in the new chapel on the south side of the parish church; but if the said chaplain's stipend should be augmented to more than ten merks, this donation of twenty shillings was to be applied by the Provost and Town-Council

* Tract on Monastic Antiquities relative to the Abbey of Dunfermline, by Sir John Graham Dalyell, Bart., p. 26, 27.

† Now belonging to King James VI.'s Hospital at Perth.

‡ On the 21st of January 1510, Sir Robert Thom, Chaplain of St Ninian's Altar, resigned in the hands of the Provost and Bailies a tenement on the north side of the North Gate (High Street), formerly paying 20s. now 40s. to said altar. On the same date, seizin was granted in favour of Sir Robert Seton, Chaplain of St Ninian's Altar, of a booth on the north side of the North Gate, proceeding on decret by the Provost and Bailies, in defect of duties payable therefrom to said altar. In 1541, Sir William Ramsay is mentioned in a charter as Chaplain of St Ninian's Altar.—Perth Town-Council Records, vol. i.

for the maintenance and reparation of the windows and ornaments of the parish church. John Calpy, barber-chirurgeon, also sold to Sir Alan Wood, chaplain, two tenements contiguous near the Spey Tower, the one to pay thirteen shillings and four pennies, and the other ten shillings, annually to St James' Altar.*

3, 4. ALTARS OF ST JAMES AND ST THOMAS à BECKETT, ARCHBISHOP OF CANTERBURY. — *November 30, 1423.* — Alexander Whitson, burgess of Perth, confirmed or renewed the foundation of a perpetual chaplaincy, the stipend L.7:19s. yearly out of certain tenements, in honour of St James the Apostle and of St Thomas à Beckett, Archbishop of Canterbury, in the new chapel of St James, of which the said Alexander Whitson was patron.†

5. ALTAR OF ST NICHOLAS. — *About 1429.* — John Spens of Bouthquhopill, burgess of Perth, founded an Altar to St Nicolas the Bishop in the parish church of Perth, and endowed it with an annual stipend of L.7:15s. out of certain tenements in the town.‡

6. ALTAR OF THE HOLY ROOD, or HOLY BLOOD. — *About 1429 or 1430.* — The same John Spens founded and endowed with the sum of L.2:3:4 annually, a mass to be celebrated at the Altar of the Holy Rood or Holy Cross, and also a lamp.

7. ALTAR OF ST ELYSIUS. — *April 30, 1431.* — Andrew Lufe, goldsmith, burgess of Perth, granted certain tenements for the endowment of a chaplain to celebrate mass at the Altar of St Elysius in the parish-church of Perth.

* A charter, dated 2d of October 1508, mentions Sir James Marshall as Chaplain of the Altar of St James the Apostle. In 1546, Sir David Colung is chaplain of the same altar. — Perth Town-Council Records, vol. i.

† Mr. Scott observes that the Altar of St James, which was an ancient foundation, had fallen to decay, and the chapel reduced to ruins. The Alderman or Provost, and community, with the assistance of William Whitson, a wealthy citizen, rebuilt the chapel on the south side of the parish church, and designated it the *New Chapel of St James*. On the above date Alexander Whitson, son of William Whitson, granted an annual rent of ten shillings out of his land in the Speygate, to the chaplain of the altar of St James.

‡ In January 1500, Sir Patrick Young, chaplain of the Altar of St Nicolas, resigned a tenement on the south side of the South Street. — Perth Town-Council Records, vol. i.

8. ALTAR OF THE VIRGIN MARY.*—*January 1, 1431–2.*—Alan de Myrtoun, burgess of Perth, founded an Altar to the Blessed Virgin Mary in the parish church of Perth, and endowed it with the lands of Ardonachy, Hardhaugh, a share of the mills of Auchtergaven, and certain tenements in the town of Perth, amounting in all to L.100:16s.

9. ALTAR OF ST MICHAEL THE ARCHANGEL.—*April 25, 1445.*—David Fleming, burgess of Perth, mortgaged an annual rent of forty shillings out of his tenement on the north side of the North Street, to Master Richard de Crieck, who had founded an Altar in honour of St Michael the Archangel, and whose executors, in name of the Provost and Town-Council, had lent to the said David Fleming the sum of L.28, and this annual rent of forty shillings was to continue till he repaid the money.†

10. ALTAR OF ST JOHN THE EVANGELIST.—*December 20, 1448.*—Sir John de Bute founded and endowed with a stipend of L.10:6:8, an Altar to St John the Evangelist, in the new choir of the parish church, near the High Altar, on the north side, at the same altar with the chaplaincy of St Lawrence.‡

11. ST STEPHEN'S ALTAR.—Robert de Bonkall sold to Sir Simon Bane, as chaplain to St Stephen's Altar, an annual rent of twenty shillings out of two contiguous tenements in the Castle-Gavel Street.

12. ALTAR OF ST CLEMENT, POPE AND MARTYR.—*July 10, 1454.*—John Bunch, burgess of Perth, founded an Altar in the

* In 1534 Sir Andrew Christison, junior, is mentioned as chaplain of the Altar of the Blessed Virgin Mary in St John's Church at Perth.—Town-Council Records, vol. i.

† The last chaplain of St Michael's Altar was apparently Sir Robert Fyn, who is mentioned as such in 1555.—Perth Town-Council Records, vol. i.

‡ Sir John de Bute was apparently zealous for the Altar of St Laurence. In 1448 he acquired from Robert de Ireland an annual rent of thirteen shillings and four pence; in 1450, from William de Craig, an annual rent of twenty-four shillings; in 1451, from Christian de Hutton, an annual rent of thirteen shillings. Various other acquisitions are mentioned in the charters. It appears from one dated 1st November 1454 that Sir John de Bute was also the founder of the Altar of St Laurence. It is immediately seen that he was the founder of another. Sir Laurence Lorimer was chaplain of St John's altar in 1526.—Perth Town-Council Records, vol. i.

parish church of Perth in honour of St Clement, third Bishop of Rome, and endowed it with an annual stipend of L.10.*

13. ALTAR OF ST SEBASTIAN.—*August* 12, 1457.—Sir John de Bute founded the Altar of St Sebastian, Roman General and Martyr, and endowed it with a stipend of L.10:5:4, one merk to be deducted and paid to the Monastery of Scone.†

14. ALTAR OF ST CATHARINE THE VIRGIN.—*March* 18, 1468–9.—William Kinglassy, burgess of Perth, granted to the chaplain of the Altar of St Catharine the Virgin in the parish church of Perth an annual rent of L.1:6:8 out of his tenement on the north side of the North Street, in pledge till he repaid the sum of L.18:13:4 which he had borrowed from the Provost and Town-Council, patrons of the said altar.

15. ALTAR OF ST MARGARET, QUEEN OF SCOTLAND.—*October* 15, 1469.—Walter de Pitscottie of Loncarty disponed to Sir James Crichton of Redgorton, Knight, his right of patronage of Queen Margaret's Altar, in the parish church of Perth, in fee and heritage for ever.‡

16. ALTAR OF ST MARTIN THE CONFESSOR.—*December* 14, 1470.—Walter de Pitscottie completed the foundation of St Martin's Altar, which had been commenced by his late uncle, Andrew Pitscottie, Vicar of Perth, and endowed it with a stipend of L.10:4:8.§

* On the 2d of October 1508 is an entry in the Town-Council Records of apparently a resignation by ———, chaplain of the Altar of St Clement, of a tenement belonging to David Boswell in the South Street.

† On the 6th of May 1469 James III. confirmed the altarge and obit charters of Sir John de Bute, who died on the 7th of October 1470. On the 14th of November 1519 Sir George Sanders, chaplain of St Sebastian's Altar, obtained seizin of a tenement belonging to Alexander Langlands on the east side of the North or High Street in default of payment of annual rent. In 1539 and 1540 Sir Andrew Charteris is mentioned as chaplain of St Sebastian's Altar.

‡ In a subsequent charter, dated 6th June 1474, it is stated that the foundation of St Margaret's Altar was begun by Andrew de Pitscottie, and renewed by Walter de Pitscottie, his nephew. In that charter the stipend is stated at L.11:4:8, paid in various sums out of tenements in the town.

§ In the first volume of the Perth Town-Council Records, dated January 1500, is the payment of a charter, apparently a resignation in the hands of the Bailies, by one of the chaplains of St Martin's Altar, of tenements in the Kirk Vennel. On the 2d of October 1508 is a resignation by the chaplain of St Martin's Altar, within the parish church of Perth, of a tenement belonging to the deceased Sir David Scott, chaplain.

17. ALTAR OF THE HOLY PRESENTATION.—*January 2, 1470–1.*—Marjory Gray, wife of John Chalmers of Strathy, obtained seizin of several lands and rents, and the charter is said to have belonged to the Altar of the Holy Presentation.*

18. ALTAR OF ST SIMON AND ST STEPHEN.—*August 14, 1471.*—Sir Simon Bane, Presbyter, founded the Altar of St Simon Zelotes the Apostle and St Stephen the Proto-Martyr, and endowed it with a stipend of L.9:19:4, which was confirmed by James III. on the 10th of March 1472–3.

19. ALTAR OF ST THOMAS THE APOSTLE AND OF ST THOMAS à BECKETT, ARCHBISHOP OF CANTERBURY.—*April 20, 1474.*—James Scott, the son of Thomas Scott, burgess of Perth, renewed the foundation by his deceased father of an Altar to St Thomas the Apostle and St Thomas à Beckett, Archbishop of Canterbury, and endowed it with a stipend of L.7:5:4.

20. ALTAR OF ST DIONYSIUS THE MARTYR.—*July 13, 1484.*—John Spalding, Dean of the Cathedral Church of Brechin, founded a chaplaincy to St Dionysius the Martyr at the Altar of St Catharine in the parish church of Perth, and endowed it with a stipend of L.8:14:8.

21. ALTAR OF ST BLASIUS, BISHOP AND MARTYR.—*March 2, 1490–1.*—Andrew Cavers, Abbot, and the Convent of the Monastery of Lindores, founded an Altar in honour of St Blasius, and endowed it with a stipend of L.10:15s. out of their property in Perth.

22. ALTAR OF ST MARY OF CONSOLATION.—*August 9,*

* The chaplaincy of the Lady or Presentation Altar in St Andrew's Aisle was founded by Robert Chawmer or Chalmer, described as Master of Arts and Burgess of Perth, whose grandfather, John de Chaumer, founded St Andrew's Altar. On the 6th of May 1491–2 King James IV. confirmed the foundation of the chaplaincy of the Lady or Presentation Altar, so called in honour of the Presentation of our Saviour in the Temple by his mother the Virgin Mary. In the King's confirmation the endowments are thus enumerated:—the whole and entire tenement, with its pertinents, on the south side of the North Street, one on the north and another on the south side of the South Street, a garden without the Spey Bridge, and L.4:13:4 out of certain specified tenements. Robert de Chalmer, though a Master of Arts, and educated at the University of St Andrews, was not an ecclesiastic. He married Catherine de Kinnaird, and they both agreed, on the 9th of July 1491, to found a chaplaincy at the Altar of St Andrew the Apostle in the parish church of Perth, in honour of the Virgin Mary and the Presentation of our Saviour in the Temple.

1491.—Master James Fenton, Vicar of Tippermuir, founded a chaplaincy at the Altar of St Andrew the Apostle, in St Andrew's Aisle in the parish church of Perth, to the Virgin Mary as Lady of Consolation, and endowed it with a tenement on the east side of the Watergate, another on the west side of the Kirkgate, a booth on the north side of the North Street, and L.2 : 19 : 8 out of certain specified tenements.

23. ST SALVADOR'S ALTAR.—*February 1, 1492–3.*—Alexander Scott, junior, grants seizin to Sir Patrick Ray, chaplain of St Salvador's Altar, of a tenement in the south-east corner of the Meal Vennel.

24. TRINITY ALTAR.—*July 3, 1495.*—Master John de Dundee, Vicar of Rhynd,* founded an obit of two merks at Trinity Altar in the new chapel of St James in the parish church of Perth.† On the 19th of that month Richard Kelt, burgess of Perth, founded an obit of six shillings eight pennies at the same altar.‡

25. ST FILLAN'S ALTAR.—*After Michaelmas 1496.*—Sir Patrick Ray, chaplain of St Salvador's Altar, founded at the said Altar a chaplaincy in honour of St Fillan the Confessor, and Prior of Pittenweem, endowing it with twenty shillings out of a tenement in the Vennel of the Watergate, and L.8 : 11 : 2 annually out of certain tenements in the town.

26. ST PETER'S ALTAR.—*February 5, 1503–4.*—John Rattray of Leitchhill and David Rattray his grandson granted twenty-six shillings eight pennies to St Peter's Altar.§

* He was also chaplain of St James' Altar.

† The persons who served at this Altar of the Holy Trinity were designated *Confratres*, or the Confraternity of Trinity Altar.

‡ On the 23d of November 1514, Mr Thomas Spalding, chaplain of the Altar of the Holy Trinity, resigns a tenement on the south side of the South Street; and, on the same date, Sir Simon Young, chaplain of the same altar, adopts judicial proceedings about a yard on the east side of the Meal Vennel, in default of payment of six shillings and eightpence therefrom.—Perth Town-Council Records, vol. i.

§ St Peter was the tutelary saint of the Incorporated Fleshers of Perth, who illuminated his altar with wax lights. For supporting this altar a tax, vulgarly called *Patie's Altarage Penny*, was levied on all slaughtered cattle, which was regularly exacted till 1760, when it was abolished by the Town-Council as a "relic of Popery."—*New Statistical Account of Scotland*—Perth, p. 82. In 1532 Sir John Matheson was chaplain of St Peter's Altar.—Perth Town-Council Records, vol. i.

27. ALTAR OF SEVERUS.—*September 6, 1504.*—Robert Clark, burgess of Perth, founded an altar in honour of St Severus, preacher and confessor, and endowed it with an annual stipend of L.5 : 6 : 8.*

28. ST CHRISTOPHER'S ALTAR.—*August 28, 1511.*—Alexander Tyrie, Provost of Perth, founded an altar or chaplaincy in honour of St Christopher the Martyr, at the altar of St Clement, which was confirmed by James IV. on the 27th of January 1512–13.†

29. ALTAR OF THE SALVATION OF OUR LADY AND OF ST GABRIEL.—*November 12, 1513.*—Patrick Wallis, burgess of Perth, granted to the Altar of the Salvation of Our Lady of Annunciation and of St Gabriel, by him newly founded, the tenement he inhabited on the south side of the Fish Market, and an annual rent of ten shillings out of the same tenement to St Salvador's altar.

30. ALTAR OF THE VISITATION, OR ALTAR OF OUR LADY'S GRACE.—*April 21, 1514.*—Sir Simon Young, Chaplain, granted an annual rent of twenty shillings out of his tenement on the west side of St Ann's Vennel.‡

31. NOMINE JESU ALTAR.—*February 28, 1518–19.*—Sir John Tyrie, Provost of the collegiate church of Methven, Dean of the Confraternity of the Name Jesus in the parish church of Perth, and the United Brethren of the same Order, established out of their revenues an altar and chaplaincy in the parish church of Perth, in honour of the name Jesus, commonly *Nomine Jesu Altar*, and endowed it with a tenement on the

* On the 21st of February 1526–7, Archbishop James Beaton of St Andrews ratified by charter this foundation of the Altar of St Severus.

† On the 17th of September 1526, Sir Simon Young, Dean of Christianity of Gowrie, and Commissary of the Bishop of Dunkeld for the locality of Tullilum, confirmed the foundation of this Altar.

‡ In St Ann's Vennel was St Ann's Chapel. On the 1st of August 1514, John Mackison, burgess of Perth, granted an annual rent of forty shillings out of a tenement on the east side of the Water Street, to celebrate divine services for the soul of John Blackwood. Sir Walter Eviot was then chaplain. The above-mentioned *Altar of our Lady's Grace* was apparently Our Lady's Altarage, for certain ornaments of which, Adam Ramsay, burgess of Perth, on the 15th of April 1544, obtained an act of cautionry on behalf of John Smetten, burgess of Perth, at the hands of the Provost, Bailies, and Council.—Records of the Town-Council of Perth.

north side of the South Street, another tenement and garden on the south side of the same street, and thirteen shillings and four pennies out of tenements in the North and South Streets. On the 30th of March 1519, Archbishop Forman of St Andrews confirmed the foundation of the Altar of the Name of Jesus, and approved of the Confraternity of the same name.*

32. CONFRATERNITY OF TRINITY ALTAR. — *March 16, 1518-9.*—Master John Ireland, Vicar of the parish church of Perth, Dean of the Confraternity or United Brethren of the Order assumed in honour of the Holy Trinity in the parish church of Perth, and the United Brethren of the said Order, established out of their resources an Altar and Chaplaincy in the said parish church in honour of the Holy Trinity, commonly called *Confraternity* or *Trinity Altar*, endowing it with a certain tenement, with its pertinents, on the north side of the South Street, between the tenement of the late Sir John Myreton, Prebendary of Forgan, on the east, and that of Andrew Crieff on the west; the one-half of the rent of the tenement of Alexander Horner on the same side of the same street, for the annual celebration at the said altar of an anniversary for the souls of the said Alexander Horner and Janet Reid his spouse on the day of their decease; the whole and entire orchard of the said Alexander Horner, with its pertinents, lying without the Spey Bridge of the said burgh; twenty-six shillings eight pennies of annual rent out of the entire tenement of the late Master John Dundee, on the north side of the South Street, one-half of which is to be paid to

* The revenues of this altar were subsequently increased by a tenement in the North Street, and an annual rent of L.1 : 6 : 8 out of two other tenements and a garden. These donations are entered by a different hand, and were inserted by the Confraternity some years after the date of this charter. They are not mentioned in Archbishop Forman's charter of confirmation, which intimates that the brethren had not then acquired the donations. Mr Scott says—"The common seal of this Fraternity of the Name of Jesus, one of whom was John Ireland, Vicar of Perth, is large and of an oval figure. The device is a person standing upright, entirely naked, probably intended for an emblematical representation of perfect innocence. An inscription, not very legible, in the old Saxon characters, surrounds the seal. This fraternity were much more harmless devotees than the disciples of Ignatius Loyola, who some short time after took to themselves the name of Jesuits."

the chaplain of the said Altar founded by the United Brethren of the said Confraternity, and the other half for obsequies and a mass of rest and memorial to be celebrated every year at the said altar on the day of the decease of the foresaid Master John Dundee; and L.6:15:8 out of certain specified tenements in the town. On the 30th of March 1519, Archbishop Forman ratified the foundation of this Altar, which was notarially attested by John Lauder, Master of Arts, clerk of the Diocese of St Andrew's, by sacred apostolical and imperial authority notary-public, and entered and enrolled a member in the office of the Keeper of the Writings of the Roman Court.*

33. ALTAR OF ST FITH, or ST FITHIE, THE VIRGIN. — *May 8, 1523.* — Finlay Anderson, burgess of Perth, founded an Altar in the parish church of Perth in honour of St Fith, or St Fithie the Virgin, and endowed it with an annual stipend of L.12 out of certain tenements in the High Street, the North Street, and the Watergate.

34. ALTAR OF ST KENTIGERN or ST MUNGO, THE REPUTED FIRST BISHOP OF GLASGOW. — *November 8, 1523.* — Master James Fenton, Precentor of Dunkeld, founded an Altar and chaplaincy in honour of St Kentigern in St Andrew's Aisle in the parish church of Perth, and endowed the same with a tenement lately purchased by him on the south side of the South Street, and with an annual stipend of L.9:6:8 out of tenements in the town.

35. ALTAR OF ST BRIDGET, or ST BRIDE. — *January 13, 1523-4.* — Master James Fenton, Precentor of Dunkeld, founded an Altar in honour of St Bridget the Virgin in St Andrew's Aisle in the parish church of Perth, and endowed it with the tenement he occupied on the north side of the North Street, an entire booth or shop in the front tenement of Simon Dickson on the west side of the Castle-Gavel Street, near the tenement belonging to the Abbot and Convent of the Monastery of Coupar, and the sum of L.7:13:4 out of certain tenements in the town.

* John Lauder acted as prosecutor at the trial of George Wishart called the "Martyr," before Cardinal Beaton at St Andrews in 1545-6. He was employed in a similar manner at the trial of Adam Wallace for heresy.

36. ALTAR OF ST JOSEPH, CONFESSOR, AND HUSBAND OF THE VIRGIN MARY.—*January 4, 1524–5.*—Sir John Tyrie, Presbyter and Provost of the Collegiate Church of Methven, founded a Chaplaincy in honour of St Joseph at the Altar of St Michael the Archangel in the parish church of Perth, and endowed it with an entire tenement on the east side of the Kirkgate, the annual sum of L.2 out of the tenement of Alexander Horner on the south side of the South Street, and the sum of 13s. 4d. out of the tenement of Robert Kerr on the west side of the Watergate, with deductions out of the tenement in the Kirkgate of L.1 : 13 : 4 annually to the Abbot and Monastery of Scone, the sum of 6s. 8d. to the Charterhouse, the sum of 10s. to the chaplain of St Peter's Altar in the parish church of Perth, and 6s. 8d. to the Bridge of Tay.

37. ALTAR OF ST BARBARA, VIRGIN AND MARTYR.—*September 17, 1526.*—Sir Simon Young, Dean of Christianity of Gowrie, and Commissary of the Bishop of Dunkeld for the locality of Tullilum, confirmed by charter the foundation of the Altar of St Christopher at St Clement's Altar by Alexander Tyrie, when he was Provost of Perth on the 28th of August 1511, to which the said Alexander Tyrie annexed the Altar of St Barbara, founded by him on the 20th of October 1525.

38. ALTAR OF ST GREGORY AND ST AUGUSTINE.—*April 20, 1529.*—Sir Simon Young, Vicar of Pitcairn, founded an Altar and Chaplaincy in honour of St Gregory and St Augustine at the Altar of All Saints in the parish church of Perth, and endowed the same with the annual sum of fifteen merks, or L.10, out of the two entire tenements lately erected by him on the south side of the South Street.*

* Mr Scott says of the Altar of St Gregory and St Augustine—"The sasine of its annual rents was dated November 3, 1532. Its rent at the Reformation was 16s. 1d. sterling. The Prior of the Charterhouse appears to have been patron, for after the Reformation there was a gift from the Prior of the Charterhouse of St Gregory's and St Augustine's Altar to Henry Drummond, son to James Drummond, Sheriff-Clerk of Perth, during his lifetime, dated April 23, 1574, which was resigned to the Kirk-Session in favour of King James VI.'s Hospital. There was also what was called *St Gregory's Mass*, or Altar, pertaining to ten choristers of Perth, or nine clerks, the tenth, with advice of the Provost, founded by Sir John Myreton, Prebendary of Forquandenny. The rent of St Gregory's Mass, as given by Sir Robert Rhynd after the Reformation, was 18s. 0½d. sterling."

39. ALTAR OF ST ROQUE.—*July 4, 1553.*—Archbishop Hamilton of St Andrew's confirmed the presentation of Sir David Colling to be chaplain of the Altar of the blessed St Roque the Confessor, in the parish church of Perth.*

40. ALTAR OF ST JOHN THE BAPTIST.—*April 28, 1556.*—Sir William Ramsay accomplishes the will of the late Sir Simon Young, by reducing into lawful form the foundation of the Altar of St John the Baptist in the parish church of Perth, and endowing it with a stipend of L.13:15:4 out of certain specified tenements in the town. This foundation was confirmed by charter under the seal of Archbishop Hamilton of St Andrews on the 14th of July 1556–7.

The above numerous Altars were constantly receiving additional endowments, especially the more ancient of them, in the form of tenements, or annual rents paid out of house-property in Perth.† Numbers of these charters remain, of which specimens are given. Although regular chaplains were appointed to those endowed Altars, St John's Church at Perth, as it was merely a parish church, had only one incumbent before the Reformation, who was designated *Vicar of Perth*, and many

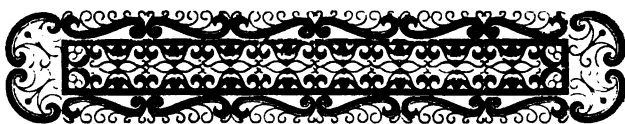
* On the 8th of February 1583–4, Andrew Donaldson, Master of the Hospital, is to take instant cognizance of the Altarages of St Rook, or Roque, St Mungo, St James, and St Bryde, pertaining to Sir David Colling, who is mentioned as chaplain of St Roque's Altar in 1573. Notwithstanding the change of religion, a Mr David Mitchel, described as "chaplain of St Roque's Altar," was Colling's (lay) successor, and on the 25th of March 1584 the King's letters were issued, charging all and sundry heritors, feuars, and farmers, to make payment of the fruits and rents of that altarage under pain of horning. Sir John Young was chaplain of St Roque's Altar in 1651, and Sir David Colling in 1553, but the date of its foundation is unknown.

† Other Altars are mentioned in the Town-Council Records. In January 1500, seizin was given by the procurator of John Charteris, Provost, of property which belonged to Sir David Scott, resigned by Sir John ———, chaplain of *St Matthew's Altar*. On the 23d of November 1514, Sir Robert Keillor, chaplain of the *Altar of St Duchay*, resigned a tenement on the north side of the South Street. The Town's Altar is thus noticed, under date 16th October 1508,—"*Statuta propter observationem Vestimentorum Ecclesie*;" and, written in a modern hand—"The Master of Works to keep and take care of the vestments, books, chalices, towels, and all other ornaments of the Town pertaining to the Altar."—Perth Town-Council Records, vol. i.

years afterwards the spiritual wants of the citizens required only one individual, who was the sole minister of Perth.


One of the earliest notices of the organ in Scotland—though that noble instrument was common in England in the tenth century—occurs in connection with the Church of St John the Baptist in the “Fair City.” In the Records of the Burgh, under date 1511, is an entry appointing George (Dunning) to be parish clerk, who is also obliged to employ a sufficient person to sing and *play the organ* during Divine Service, and find strings and cords to the bells. Under date 1521 is a long and curious document of John and Patrick Chalmers, accepting the appointment of joint parish clerks in room of the deceased George Dunning, and binding themselves to find a competent person to “play upon the organ and sing at the daily Service done in the kirk all the days of their lives.” The above two intimations are interesting as proving that the organ was used during Divine Service at Perth at least half a century before the Reformation. It is to be regretted that so little is known of the date of instrumental music in Scotland before that event. As St John’s Church had no vicars skilled in the Gregorian Song for the daily service, though it had choristers, it is probable that it was the only parish church in the kingdom which anciently contained an organ. The document dated in 1511 mentions the organ as having been long in the edifice rather than as of recent introduction; and it is evident that the Magistrates were proud of the instrument, from the particular manner in which they bound the parties who were appointed to undertake the duty. As James I., among his other accomplishments which he acquired in England, could play well on the organ, harp, trumpet, bagpipe, and other instruments, the organ at Perth, which before he was murdered was considered the capital, may have been introduced by him. The celebrated Gawin Douglas, Bishop of Dunkeld, in his poem entitled the “Palace of Honour,” mentions organs among the instruments he enumerates.





Obits in St John the Baptist's Church.

RENTAL OF THE OBITS, OR SUMS OF MONEY PAID TO THE
CHAPLAINS AND CHORISTERS IN THE PARISH CHURCH OF
PERTH, FOR ANNIVERSARY SERVICES TO BE PERFORMED FOR
THE DEAD.

HE meagre list subjoined is thus described by Mr Scott, in his Abstracts—"The following Rental is partly taken from an old Latin rental, seemingly written or produced about the year 1561, and inserted with a translation in the Rental-Book of David Black, clerk of (the Kirk) Session in the year 1655, and partly from another old Rental written on two leaves of paper much damaged. The alteration I have thought proper to make is to arrange the obit gifts in chronological order, and to describe more particularly the persons by whom they were granted."

1438.—Sir Andrew de Pitscottie, Vicar of Perth, L.1. He was a younger son of the Loncarty family, and was Vicar of Perth in 1401. He was the founder of the Altars of Martin the Confessor, and of St Margaret, Queen of Scotland, in the parish church of Perth, and those foundations were afterwards ratified by his nephew, Walter de Pitscottie of Loncarty. He died on the 8th of September 1438, on which day his obit was annually celebrated. The sum of twenty shillings, of which each of the officiating choristers was to receive six pennies, and each of the foundation chaplains who took any part in the service four pennies, was granted out of Isabel Stewart's tenement of the Little College, at the west end of the churchyard, afterwards the property of the Lords Ruthven and the Earls of Gowrie.

1463.—John de Donyng, L.1:13:4. John de Donyng was Vicar of Perth in 1448, and died on the 5th of December

1463, on which his obit was annually celebrated. Each officiating chorister was to receive ten pennies, and each foundation chaplain who took part in the service six pennies.

1470.—Sir John de Bute, Chaplain, L.3. In addition to the Altar of St John the Apostle, and the chaplaincies of St Lawrence the Deacon and Martyr, and of St Sebastian the General and Martyr, founded by Sir John de Bute, he provided a brass star to be displayed before the image of St John, a lamp to hang before the image of St Lawrence, and another before the image of St Sebastian. Those were to be illuminated by the respective chaplains from the fourth to the sixth hour for three months, viz. from the Feast of All Saints on the 1st of November, to the Feast of the Purification of the Virgin Mary on the 2d of February, and on Sundays throughout the year, the great Festivals, and other specified occasions. Sir John de Bute died on the 7th of October 1470, on which day his obit was annually celebrated; but though he allotted for the purpose L.3 yearly, only two-thirds of that sum seems to have been paid.

1474.—Thomas Oliphant of Dron, L.2. Thomas Oliphant of Dron is said to have been the second son of Sir John Oliphant of Aberdalgie, and younger brother of Laurence first Lord Oliphant. He died on the 11th of December 1474, and left as an obit the sum of L.2, of which twenty-six shillings eight pennies were to be paid out of the lands of Wester Dron and Kintilloch, and thirteen shillings four pennies out of a tenement on the east side of the Kirkgate of Perth. Each officiating chorister was to receive twelve pennies, and each foundation chaplain who joined in the service eight pennies.

1478.—Sir Thomas Cross, Chaplain of St Ninian's Altar, L.1. Sir Thomas Cross died on the 19th of November 1478, on which day his obit was annually celebrated.

1495.—Master John de Dundee, Vicar of Rhynd, 13s. 4d. He was also Chaplain of St James' Altar, and one of the brethren of the Confraternity of the Holy Trinity; and he died on the 1st of December 1495.

1496.—Sir John de Kinmonth, Chaplain, L.1. Sir John de Kinmonth, one of the chaplains of the parish church of Perth, was probably a descendant of Elizabeth de Kinmonth, of that ilk, who in her "pure widowhood" made a donation,

dated 25th March 1382, of one boll of wheat and one boll of barley annually to the Black Friars. He was elected by his brother chaplains their collector or receiver, and died on the 6th of July 1496, on which day his obit was annually to be celebrated.

1496-7.—Andrew Curroure, Burgess of Perth, died 25th January, L.1.

1498.—Dean Andrew Cavers, Abbot of Lindores,—the obit to be said annually on the 3d of November,—13s. 4d.

1504.—Andrew Charteris of Cuthilgurdy, died 12th April, L.2 : 4s.

1504.—John Rattray of Leitchhill, died 10th September, L.1 : 6 : 8.

——. Richard Kelt, Burgess of Perth, 6s. 8d.

1507.—Sir John Myrton, Prebendary of Forgan, Canon of Dunkeld, and Rector of Dupplin, died 2d August, L.8 : 6 : 8.

1510.—Alexander Bunch, Burgess of Perth, died 2d October, L.1.

1516.—Patrick Wellis, or Wallace, Burgess of Perth, died 4th July, L.2 : 13 : 4.

1524.—Robert Chalmers, Burgess of Perth and Master of Arts, died on the 7th of May or June, 16s.

1524-5.—Sir Malcolm Burn, Chaplain, died 26th January, L.1.

1525.—Alexander Tyrie of Busby, Burgess of Perth, died 22d of November, L.3 : 3s.

1526.—Robert Duchlay, or Duchal, Burgess of Perth, died 15th May, 13s. 4d.

1527.—John Armour, Burgess of Perth,—day of obit unknown, L.4.

1534.—Robert Methven, Burgess of Perth, died 10th April 1534, L.1.

1543.—Sir James Gundy, Burgess of Perth, L.2.

1546.—Adam Ramsay, Burgess of Perth, L.2.


1550.—John Moncur of Balleny, L.1 : 6 : 8.

Without dates.—Violet Nairn, L.1—William Burry, L.1—Sir William Davidson, Chaplain, L.2—Patrick Hall, L.2.





Religious Houses and Chapels.

HE Religious Houses and Chapels which were at Perth before the Reformation, and of which very scanty notices remain, were as follows :—

1. THE GREY FRIARS' or FRANCISCAN CONVENT, founded in 1460 by Sir Laurence Oliphant of Aberdalgie, first Lord Oliphant. It stood on the south-east quarter of the town near the Tay, and in 1580 the ground was constituted the common cemetery of the inhabitants of the town and parish. It is still known as the Grey Friars' Cemetery, although, as in the case of Edinburgh, the Grey Friars had no farther connection with it than as proprietors of ground of which they were deprived by those who took advantage of Knox's mob. Knox describes the condition of their Convent on that occasion in a very graphic manner—"And in very deid the Gray Freirs was a place weill providit, that unless honest men had seen the same, we wald have feirit to report what provision they had. Their scheites, blancattis, beddis, and covertours, were such that no Erle in Scotland had better; thair naiperie was fyne; there were but aucht persons in (the) Convent, and yet had aucht punscheones of salt beef (consider the tyme of the year, the 11th of May), wyne, beir, and aile, besydes stoir of victuels effeiring thairto."* Sir John Graham Dalyell severely remarks—"Notwithstanding the relation of a hot-brained fanatic, this may be partly true."†

* *Historie of the Reformation of Religioun in Scotland*, folio, Edin. 1732, p. 128.

† *Fragments of Scottiah History*, 4to. Edin. 1798, p. 29. No charters of the Grey Friars' Monastery are preserved at Perth, and they appear to have been all destroyed. It was the third Monastery of the Observantines erected in Scotland.—Waddingus (R. P. Lucas), *Annales Minorum seu Trium Ordinum a S. Francisco Institutorum, continuati a F. Josepho Maria de Ancona*, folio, Romæ, 1745, tom. xix. p. 127.

2. OUR LADY'S CHAPEL was situated at the foot of the High Street or North Street, near the Old Bridge. It is described as an old building as anciently as A.D. 1210, when it was considerably injured by a fearful inundation of the Tay. It was afterwards rebuilt farther from the river, and a portion of it is known as the Old Prison, having been so appropriated after the Reformation. With the exception of part of St John's Church this is the only remaining ecclesiastical memorial of the ancient Hierarchy in Perth.

3. ST LAWRENCE'S CHAPEL was founded in December 1405, and was situated at the Castle-Gavel, on part of the ground connected with the old Castle. It was of royal origin, though the real founder is unknown. John de Busby was among its early chaplains, and was presented to it for life by mandate from Robert III. It will be seen from the Black Friars' charters, under date 1405, that Robert III. made a donation of the Chapel of St Lawrence to that Fraternity, because his mother, Elizabeth Mure, the second Queen of Robert II., was interred in their monastery church.* Anxious for the repose of his mother's soul, and desirous of procuring for her before he died the suffrages of devout prayers, Robert III. induced John de Busby to resign his right to the Chapel of St Lawrence, and immediately conferred it, with all its emoluments, in "pure and perpetual alms," on the Black Friars of Perth and their successors. They were to perform in it the usual divine service, and the prescribed suffrages; but as they were not obliged to maintain a chaplain, and as the expense of keeping the edifice in repair was in their opinion considerable, they allowed it to fall into decay, and they at last transformed it into a dwelling-house, or the pertinents of a dwelling-house, disposing of it and the adjoining ground called the Chapel Hill, south-west from their monastery, in perpetual or heritable leases. As such it figures in charters of tenements and gardens of date 1477, 1495-6, and 1501-2. It is stated that the whole had fallen into ruin before 1543, and the Magistrates had taken possession of the ground and removed the old materials of the chapel. This summary act produced a letter

* See the abstract of the charter of Robert III. granting the Chapel of St Lawrence, dated 3d December 1405, in the previous enumeration of the Black Friars' charters.

from the Regent Arran on the 2d of May 1543, subscribed with his own hand, and under his own signet, representing that "whereas the waste land whereon the Chapel of St Lawrence sometime was builded, lying in the Castle-Gavel of the burgh of Perth, pertained to the Prior and Convent of the Predicant Friars of the said burgh as patrimony of their Place, they (the Provost and Magistrates) had, notwithstanding, intromitted with and occupied the said lands for several years bypast, by which means the Friars received no benefit from it, and particularly had lost yearly the feu-duty of ten shillings which Andrew Robertson and his wife, before the Town's illegal intromission, had promised to pay. He (the Regent), therefore, charged them immediately to indemnify the Friars for the losses they had sustained, and to suffer them peaceably to dispose of the ground in any manner they pleased for their own advantage." The Friars, however, did not obtain immediate possession, and while a plea connected with the Gilten Herbar was in dependence, they furnished a paper of instructions to those whom they had engaged to plead their cause on the 10th of September 1543, directing them to maintain, in opposition to the Town-Council—"Item, The said Provincial, Prior, and Convent, acclaim from the said community the ground violently occupied by them, whereupon ane Chapel of St Lawrence* stood beside the said burgh, and pertaining to the said Prior and Convent, and their predecessors, past memory of man, together with materials, stones, and timber, spoyled by the said community, extending to the value of ——— money foresaid." It is uncertain, from their "accout book of moneys received," whether the Friars ever recovered possession of this ground. The feudatory proprietor in 1588 was Thomas Anderson, maltman, and from his avocation it was called *Malt's Land*. It is described, according to its after possessors, in the rental-book of 1702 as bounded

* Mr. Scott here observes that *St Leonard's* is erroneously written in the charter *St Laurence*. "The Black Friars," he says, "never had any right to the ground of the Chapel of St Leonard, which was annexed to the Carthusian Monastery, nor is there the smallest intimation of another Chapel of St Leonard situated on the north side of the town near the Black Friars' Monastery. The ground in that neighbourhood called *Chapelhill* seems for certain to have been so called from the Chapel of St Lawrence situated upon it."

on the north by "the land sometime of John Blithe, thereafter the Doucat Yard, and now the Blackfriars."

4. The CHAPEL OF ST ANN, mother of the Virgin, was situated at the south side of St John's Church, in the alley now called the School Vennel, formerly St Ann's Vennel, and had an hospital for the free entertainment of strangers and poor persons. The date of the foundation and the name of the founder or founders are unknown, but it was of considerable antiquity. Sir Walter Eviot, of the family of Eviot of Balhousie, was chaplain for a number of years before 1528, the year of his death, when he was succeeded by Sir Patrick Young. He left the sum of L.3 : 6 : 8 for a weekly mass or obit to be said for the repose of his soul, and nominated Sir John Swinton to be chaplain of that weekly mass, which was to be celebrated every Tuesday, and accompanied by the music of the organ. Sir Patrick Young acknowledged that he was bound as patron to maintain the weekly mass, but as he was doubtful if the sum would defray the expense of the music, he relieved Sir John Swinton from that obligation if he found that the donation was insufficient. The other Obits mentioned as celebrated in St Ann's Chapel were,—1. One of L.2, founded in 1514 by John Mackison, burgess of Perth, for the repose of the souls of James IV. and of John Blackwood, burgess of Perth, to be celebrated weekly every Tuesday by the principal chaplain of the Chapel if he should be able to sing well, and three of the chaplains who were choristers in St John's Church; the obit silver to be paid out of a tenement belonging to John Mackison in the Water-gate. 2. Oliphant's Obit of L.1, out of a tenement on the south side of the North Street, and supposed to have been founded by Thomas Oliphant, brother of Lawrence first Lord Oliphant, who died on the 11th of December 1474. 3. The mass of the Cross, sung on Fridays, the sum of ten shillings, out of the "King's lodging and yard" on the east side of the Speygate. 4. John Armour's mass, to be sung on the Wednesdays and Fridays, for which the sum of L.4 was to be paid annually. 5. Patrick Wellis' Obit, of L.1:6:8, out of a land on the north side of the North Street.*

* St Ann's Chapel contained some private altars. On the 12th of January 1522, Sir Robert Barbour is mentioned as chaplain of *St Michael's Altar* in the Chapel of St Ann.—Perth Town-Council Records, vol. i.

5. **ST JAMES' CHAPEL**, which by a curious combination was also dedicated to St Thomas à Becket, Archbishop of Canterbury, was situated at the south side of St John's Church. The founder is unknown. About 1400 the Chapel became ruinous, and a new one was erected by the Town-Council, chiefly by the assistance of William Whitson, a wealthy burgess.

6. The **CHAPEL OF LORETTO**, vulgarly designated *Allarcit*, stood on the north side of the head of the South Street. The circumstances connected with its foundation are unknown.*

7. **ST PAUL'S CHAPEL**, founded on Christmas Day, 1434, by John Spens of Glendewghe, or Glen-Douglas, was situated at the north-west corner of the New Row. It had an adjoining hospital for the entertainment of strangers and of poor and infirm persons. Mr Scott says—"The foundation charter was extant in the year 1650, when Henry Brown, notary in Perth, wrote a very distinct inventory of the writs belonging to James VI.'s Hospital at Perth. This Inventory was written by "warrant and command of the commissioners appointed for visitation of the said Hospital, given at Perth, March 20, 1650." It contained a donation of "sundry lands, and of sundry annual rents out of sundry lands." In a miscellaneous Book of Rents, written about the year 1655 by one David Black, is the following article:—"Ane Foundation Charter made by umquhill John Spens of Glen-Douglas, burgess of Perth, of St Paul's Chapel above the Turret Bridge, containing L.20 of annual rent, whereof ten merks (L.6 : 13 : 4) to the chaplain, and twenty merks to the poor. Patrons thereto the said John Spens and his heirs, with advice and deliberation of the Aldermen and Council of Perth, dated Yule 1434."

8. The **ROOD CHAPEL**, or **CHAPEL OF THE HOLY CROSS**, stood on the north side of the South Street port.

9. **ST CATHARINE'S CHAPEL** was situated at the west end of Perth, in the locality known as the Claypots. It was founded on the 19th of June 1523, by Sir John Tyrie, who was for a number of years Provost of the collegiate church of Methven. At the west end of the building was an hospital for the

* Unlike similar Chapels of Our Lady of Loretto in other places, the one at Perth seems to have had no miraculous influence.

entertainment of poor travellers. The original Latin charter, which is of considerable length, is preserved, and is inscribed *Johannes Tyry, Præpositus de Meffin*. The following extracts from the translation set forth the founder's sentiments:—

“Whereas by pious prayers and celebrations of masses, where-with the Son is offered for sins, we believe that sins are remitted, the pains of Purgatory mitigated, and the souls of the deceased frequently liberated, and placed in the joys of Paradise, know, therefore, that, being engaged in divine contemplation, I, the said Sir John, have, to the honour of the sacred undividable Trinity, the Father, the Son, and the Holy Spirit, of the most glorious Virgin Mary, and of the whole Celestial Court, especially to the honour of the blessed Catharine, Virgin, spouse of our Lord Jesus Christ, and for the prosperous augmentation of ecclesiastical worship, founded, constructed, and ordained a Chapel at the west end of the burgh of Perth, at the Claypots, and an house or hospital for the hospitality of poor travellers coming thither, situated contiguous at the west side of the said Chapel, with a chamber and garden for the chaplain underwritten, and his successors. And for the perpetual support of the said Chapel and Chaplaincy, I have given, granted, and assigned to one Chaplain, viz. to Sir David Tyrie, and his successors, perpetually to celebrate divine service in the said Chapel”—for the salvation of the soul of James IV., for the soul of James V., “present King of Scots,” for the salvation of the souls of the founder, of his father and mother, brothers and sisters, of Master Robert Monorgand, who had afforded his “sound counsel and assistance towards the founding and building of the said Chapel;” for the salvation of the souls of all from whom the founder says he may have received any goods without having rendered full and condign satisfaction; also for the souls of all the faithful dead,—his nine ox-gangs, with their pertinents, of all and sundry the lands of Ochertyre,* lying in the barony of the same, and within the sheriffdom of Forfar, payable at Whitsunday and Martinmas; and two merks of annual rent for

* Or Auchertyre, in the parish of Newtyle, Forfarshire, near the boundary of the Perthshire parish of Meigle.

the "sustenance of the roof, the reparation of the said Chapel, and the beds of the same." The pious founder also makes an annual donation of L.5 : 6 : 8 to "one poor man to minister in the masses daily to be celebrated in the said Chapel, and to worship daily for the souls above expressed," to be paid out of the lands commonly called the Langlands, on the north side of the chapel, in the Barony of Balhousie. The founder next enjoins, that if Lord Oliphant or his heirs shall redeem or acquit the nine ox-gangs of the lands of Ochertyre, according to the tenor of a reversion made thereupon, the sum of four hundred merks shall be received for those lands by the chaplain at the time, by Robert Tyrie his brother, and his heirs, and by the Provost of Perth, who are to deposit the money with the Prior and Convent of the Carthusian Monastery, to be kept by them until the chaplain, the founder's brother, or his heirs, with consent of the Provost of Perth, shall invest the money in other lands or annual rents. The Chaplain was to be a presbyter of "approven life and honest conversation, sufficiently instructed in literature," who was always to reside in the chapel, or in the burgh of Perth, and celebrate daily in the said chapel masses and suffrages of prayers, and he was to retain "no concubine or public handmaid." He was to maintain decently the ornaments of the Chapel, viz. in "mass-books, altar-palls, chalices, phials, chusibles, amices, stoles, caps, hangings, tapestries, curtains, and other necessities for the celebration of Divine Service." The "poor man" was to be of mature age, of "good condition and state to minister to the priest in the mass," and he was also to reside personally in the chapel. The founder was to have the right of patronage of the chaplain and of the "poor man" during his lifetime; and after his death the patronage was to be exercised by the Town-Council. Some other conditions are specified, regulating the chaplain, the patronage, and the payment of the stipend.

10. The NUNNERY OF ST LEONARD THE ABBOT, with its Chapel and Hospital, was a short distance south-west of the town, and was founded before 1296. After the erection of the Carthusian Monastery this Nunnery was suppressed, and its lands and rents were conferred on the Carthusians, who

continued the Chapel under their patronage.* Lady Elizabeth Dunbar, daughter of George tenth Earl of Dunbar and March, became Prioress of the Nunnery in 1411.† She had been betrothed, or, as some allege, privately married, to the unfortunate David Duke of Rothsay, eldest son of Robert III. Her father is said to have paid to the Duke a large part of her marriage-portion, and the latter signed a bond, under his seal, that he would perform his espousal; but in defiance of this contract he married in 1400, in Bothwell church, Marjory, daughter of Archibald third Earl of Douglas. Lady Elizabeth, whom it appears he was compelled to reject, devoted herself after his unhappy death to a single religious life.

11. The NUNNERY OF ST MARY MAGDALENE, with its Chapel, was situated about a mile south of the town. The time of its foundation is uncertain, and it shared the fate of St Leonard's Nunnery, by having its lands and annual rents conferred on the Carthusian Monastery.

Such is an abstract of the ecclesiastical state of Perth before the Reformation, and up to the 11th of May 1559, when the citizens, excited by John Knox's sermon in St John's Church, were infected by an almost unparalleled madness, and utterly demolished the Religious Houses in one day, reserving only the parish church of St John the Baptist, which they "purified" according to their own newly adopted sentiments. Having

* About A.D. 1396, Gilbert Taylor, burgess of Perth, granted an annual rent of forty pennies to the Hospital of St Leonard out of a tenement on the south side of the North Street, which was afterwards acquired by the Carthusian Monastery.

† On the 28d of November 1411, Master Robert Clarkson (Clerici), described as Governor of St Leonard's Hospital, renounced the same by charter in favour of Lady Elizabeth Dunbar, in the chapel of the Archiepiscopal Castle of St Andrews, in presence of Bishop Wardlaw, Alexander de Ogilvy, Sheriff of Angus, Sir Walter Oliphant of Kelly, Knight, John de Barclay, Laird of Kippow, Richard Lovell, Laird of Ballinby, Deans and Masters James de Hawdinston, Prior of the Isle of May, Patrick de Houston, Canon of the Churches of Glasgow and Brechin, Robert de Dryden, Rector of Muckhart, and John Hunter, Presbyter of the Diocese of St Andrews. The attesting notary is designated *Richard Militis*.

thus renounced the religion in which they had been educated, and which their ancestors had professed for centuries, they fell into the other extreme induced by their fanatical violence, and, to make the change complete, the expelled ecclesiastics were succeeded by a religious instructor who was afterwards to be known as the "Minister" of Perth—this person representing the former Vicar, and acting as sole preacher and expounder, according to the practice introduced and sanctioned by Knox and his confederates. The man whom they procured to edify them in this capacity was himself a curious instance of desertion of his former profession. This was Mr John Row, the report of whose abilities had reached the Vatican, and who was in consequence selected by the Pope* in 1559 to watch the progress of the movement in Scotland, and who is said to have been the first who introduced the study of the Hebrew language. Row was born near Stirling, at the grammar-school of which he received his elementary education, and he went to the University of St Andrews, where he studied Philosophy and the Civil and Canon Law, became Master of Arts, and afterwards a pleader in the Diocesan Courts. He visited Rome, and having attracted the favourable notice of Paul IV. he was constituted agent for the Church of Scotland at the Court of Rome in 1556, after which he graduated at the University of Padua as "*Doctor Utriusque Juris*." While at Rome he was seized with such a dangerous illness, that his physicians considered the air of his own country as essential to his recovery. Paul IV. assented to this recommendation, and Row landed at Eyemouth armed with ample authority as apostolical legate on the 29th of September 1558. His conversion was accelerated by a pretended miracle of restoring the sight of a cowherd of the Sisters of St Catherine of Sienna near Edinburgh, at the Chapel of Loretto, in the vicinity of Musselburgh, and he became as zealous a maintainer as he had formerly been an opponent of the Reformation. He was chosen Minister of Perth in 1560 by consent of the Town-Council and the

* Paul IV. (Gianpietro Caraffa, a Neapolitan), and continued by Pius IV. (Giovanni Angelo Medichini of Milan.) Paul IV. died in 1559, and was succeeded by Pius IV.

citizens. In this situation he continued till his death, which occurred on Sunday, the 16th of October 1580, in the fifty-fourth year of his age.

The new system followed by Row at Perth was preaching a sermon in the forenoon and afternoon of the Sundays, and another every Thursday, attendance at which was compulsory on persons of all ranks. In the discharge of his public duties he was assisted by the Kirk-Session or association of "Elders," who were elected annually, and by "Deacons," so called, who all assisted in distributing the funds of the poor, though the "Elders" were exclusively allowed to vote with the Minister in matters of discipline. The Kirk-Session, or "*Exercise*," as it was quaintly designated, met weekly, and deliberated on all cases of scandal, punishing delinquents by fines, imprisonment, and public exposure in the irons at the Cross or on the cock-stool. A functionary called a *Reader* or *Exhorter* was also recognized, whose duty was limited to reading passages from the Scriptures and prayers from the "Book of Common Order," or the "Book of Geneva." Such was the system which supplanted the ancient Hierarchy of Scotland in one generation; and it is clear, from a careful examination of all the proceedings of Knox and his associates, that they had concocted no regular plan for their religious operations, the organizing of local *Presbyteries* and the peculiarities of *Presbyterianism* having been a subsequent achievement under the auspices of Andrew Melville. Knox and those concerned in preparing the "First Book of Discipline," and the "Confession of the Fayth professed and believed by the Protestants within the Realme of Scotland," both of which were produced in 1560, appointed preachers in the principal towns, and they subdivided a considerable part of the kingdom into five districts, to each of which they nominated a most influential person of their own number to exercise a kind of jurisdiction or control, under the title of *Superintendents*, over those preachers and exhorters or readers in the towns and parishes, and those *Superintendents* were to be amenable to their General Assemblies. It was contemplated to increase those *Superintendents* to ten, but this was never effected, and even the five continued in their anomalous vocation only a short time. On

the other hand, the pusillanimity of the then Prelates and Dignitaries is a singular contrast to the conduct of the triumphant party. Such was the prostration of the Scottish Bishops, that not one of them had the courage to raise his voice in defence or palliation of that Church of which they ought to have been the resolute defenders, though it is probable they were intimidated by peculiar circumstances. Nay, it is singular to find them in 1561 proffering to maintain the preachers of the new, extraordinary, and unecclesiastical association, with one-third of their revenues, if their benefices and privileges were restored to them.

But it is principally with the effect produced by the change of religion on the morals of the citizens of such a town as Perth, and of the people of Scotland generally, that we have to do in these remarks, and which the following selections from the Kirk-Session Register strikingly illustrate. It cannot be denied that the Reformation had no salutary influence on public and private morality for several generations. Little comparatively is known of the condition of the Scottish nation before that event, but whatever has been elicited proves that the population was much more virtuous and simple under the Papal Hierarchy than under the abstract discussions and feuds in the General Assemblies. The sermons of the leading preachers, who would be duly imitated by their inferiors, were for the most part political, full of invective, and personally abusive. If the numerous and severe Acts passed by the Scottish Parliaments long after the Reformation against the violators of chastity and good morals are to be considered as affording an indication of the state of the kingdom, the people must have become dreadfully corrupted and depraved. The discipline of the new system accomplished little to remedy the prevailing wretched immoralities. Mr Scott is pleased to say, though it must be received as merely his private opinion—"The great licentiousness practised in the Popish times could not, in any considerable degree, be cured till long after the Reformation. Marriages were too seldom contracted. The Popish notion of marriage being a sacrament could not all at once be banished from the minds of either ministers or people. It was called a *Kirk-Benefit*,

and was, therefore, not to be conferred on persons of every character." Mr Scott gives extracts from the Kirk-Session records, the dates in 1578, 1581, and 1591, to show that the Minister and Elders of Perth would not allow any parties to be married unless they evinced a certain degree of intelligence. Now, without any discussion on the "popish doctrine" that marriage is a sacrament, it is clear that this excessive rigour, which was long practised throughout Scotland, of refusing to allow persons to marry who were *ignorant*, or who were considered to be so, must have been followed by the very worst consequences to the morals of the people in an age when the whole nation were scarcely half civilized. This charge of *ignorance* was most convenient, as it could be applied at pleasure to any individuals who had offended the Ministers and Kirk-Sessions, and it cannot be denied that much of the subsequent licentiousness and immorality of the people were induced by this tyrannical procedure of refusing to celebrate marriages except on certain conditions, which in not a few cases were mere matters of opinion, and generally could not at the time be fulfilled by the individuals concerned, who had neither opportunity nor leisure to qualify themselves. The absurd extremity to which Knox and his associates carried this tyranny was extended to the Roman Catholics. Their marriages were declared to be invalid if celebrated by those of their own clergy who still lingered in the kingdom, who were cited before the newly-constituted judicatories, and denounced to the civil power. Even in the General Assemblies, as recorded in the "Book of the Universal Kirk of Scotland," the most extraordinary debates were carried on respecting what the zealous Mr Calderwood innocently terms "failings of the flesh." Those discussions referred to those who shall "use carnal copulation betwixt the promise and solemnization of marriage," and to most offensively indelicate instances of antenuptial intercourse which occurred among the male adherents of the new system, whom they allowed to escape censure by marrying the females and "satisfying the Kirk." It was this inquisitorial tyranny and domineering over the people on every possible occasion, interfering with their recreations, and taking impertinent cognizance of their domestic affairs, which

induced multitudes of the peasantry to witness the suppression of Presbyterianism without regret after the accession of James VI. to the crown of England. Mr. Scott observes—"The warmest friends of the Presbyterian form of church government must allow that the indiscreet zeal of some particular church judicatories, who aimed at supreme and universal dominion, gave frequent and just offence to those who were in civil offices, and provoked the overthrow of the Presbyterian Church first in the year 1606, and next in 1661." This is in unison with the representation of the state of Scotland during the domination of the Covenantee Committee of the Kirk after the commencement of the Civil War, and the temporary ascendancy of the Solemn League. "Every parish," it is forcibly observed, "had a tyrant, who made the greatest lord in his district stoop to his authority. The kirk was the place where he kept his court; the pulpit his throne or tribunal from whence he issued out his terrible decrees, and twelve or fourteen sour ignorant enthusiasts, under the title of elders, composed his council. If any, of what quality soever, had the assurance to disobey his edicts, the dreadful sentence of excommunication was immediately thundered out against him, his goods and chattels confiscated and seized, and he himself being looked upon as actually in the possession of the devil, and irretrievably doomed to eternal perdition, all that conversed with him were in no better esteem."*

As no reason exists to conclude that the Scottish people were more ignorant before than they were for generations after the Reformation, and as every Presbyterian parochial register in the kingdom abounds more or less with immoral cases, it is evident that the preachers had no notion of the proper method of improving the intellectual condition of the people, and that the excessive sternness of decorum which the former continually attempted to enforce by the terrors of punishment failed in its object. In vain were fines, imprisonments, excommunication, and banishment from particular towns, inflicted. The same offences were continually committed, and very often by the same individuals, who were occasionally not particularly

* *Memoirs of Sir Ewen Cameron of Lochiel*, printed for the ABBOTSFORD CLUB, 4to. Edin. 1842, p. 87, 88.

respectful when summoned before their local tribunals. This contumacy of course increased the punishment, and it generally happened that the delinquents were eventually compelled to submit, or make their peace on the best terms possible. At the present day Kirk-Sessions have long lost their supremacy, and any attempt to revive the penalties of former times would be answered by an action of damages in a court of justice. A clergyman of the Roman Catholic Church, or an adherent of "Black Prelacy," is no longer an object of horror in Scotland, and even Presbyterians can talk of the Pope without the dread that his Holiness is meditating a dreadful crusade against their General Assembly.

As it respects the ecclesiastical property which belonged to the Religious Houses at Perth, it was soon appropriated in a different manner from that intended by the donors. It is stated that "after the Reformation, James VI. in 1569, with the advice of the Regent Moray, founded by charter an Hospital, to be called in all time coming King James' Hospital of Perth."* This is something like the King's subsequent claim to be considered the Founder of the University of Edinburgh. At the date of the above transaction the King was not *two years old*, and the idea of the Regent Moray edifying his infantine Majesty with his advice, or consulting him on the subject, is too preposterous to be supposed for a moment. The whole property of the Religious Houses of Perth seems either to have been usurped by individuals, or to have fallen into abeyance, from the time of their destruction in May 1559 till 1587, when James VI., who had then attained his majority, confirmed the foundation of the Regent Moray, which previously had his Majesty's mere nominal concurrence, by a new charter, and both were legalized by an Act of the Scottish Parliament held at Holyroodhouse on the 29th of July in the above year. By those charters, the Act now mentioned, and subsequent Acts of Parliament, the Minister and Kirk-Session of Perth were constituted Governors of the Hospital, which was established as a civil corporation in the name and on the behalf of the "poor members of Jesus Christ residing and

* New Statistical Account of Scotland — Perthshire, p. 67.

abiding within the burgh of Perth," with power to hold "legal courts, with their dues and amerciements, and to have tenantries, and the service of free tenants." The Masters of the Hospital, who were to be annually elected by the Governors, were to produce their accounts to the said Governors and the superintendents of the county, and also when required in the Court of Exchequer. The Act of 1587 perpetually confirmed a long Latin charter of infeftment appended to it—"To the puir memberis of Jesus Christ now and in all tymes cuming dwelland and resident within the burgh of Perth, of all and sindrie lands, tenements, houssis, biggings, kirkis, kirkyairds, chappellis, colleges, yairdis, orchardis, croftis, annual rentis, feu mailles, feu-farmis, pensiones, milnes, milne-landis, and the sequelis, fischingis, fruitis, rentis, dewties, profitis, proventis, emolumentis, fermis, canis, services, almossis, dailsilver, obitis, aniversaries, and utheris quhatsumevir, quilkis onywayes pertenit, or are knawin to pertene, to the Friers, to the Black Freiris or Predicaturis, or to the Frieris Minoris, or Franciscanes, or to the White Friers, of the said burgh of Perth, togidder with the yairdis, monasterie, or place of the Charterhouse situate beside the samen burgh, and with all and sindrie utheris landis, houssis, tenementis, annual rentis, pensionis, fructis, rentis, and dewties, lyand or upliftit within the said burgh of Perth, fredome, territorie, suburbis, or parochin of the samen, gevin, dotat, foundat, or usit to be payit to quhatsumevir chaplainries, altares, altaregeis, monastereis, places, colleges, kirkis, benefices, mortuaries, or anniversareis, quhairever the samin are or ly within this Realme."*

Immediately after the charter was granted, the Minister and Kirk-Session, as Managers of the Hospital, entered on possession of the Black Friars', Charterhouse, and other lands; but the value of this splendid endowment was more apparent than real, and the Hospital obtained a very limited share of the ancient ecclesiastical property of Perth. Much of it had been violently appropriated by communities and influential individuals during the general scramble which succeeded the outrages of 1559; and subsequently it was much diminished

* Acta Parl. Scot. folio. vol. iii. p. 500.

by alleged mismanagement, and by the change in the value of the current coin. The Town-Council, moreover, retained illegal possession for many years of property of considerable value belonging to the Hospital. One of the immunities granted by James VI. by charter was the sum of L.69 : 6 : 8 of annual burgage farm formerly paid to the Exchequer, and for which the Town was to reckon yearly for the money; but the Corporation contrived to conceal the grant, and it was only discovered accidentally by one of the Presbyterian incumbents when perusing the Town's great charter in 1754. Legal proceedings were instituted, and though the Town-Council refused to pay, on the ground of prescription, the Court of Session ordered them to produce in all time coming the sum of L.69 : 6 : 8, and also to make count for thirty-nine years, with certain deductions, to the amount of L.2377 : 12 : 8 sterling. The Corporation of the "Fair City" seem from the very first to have had covetous propensities respecting the property of the Hospital. A few years after the Minister and Kirk-Session had obtained possession of the Black Friars' and Charterhouse lands, in virtue of the act of 1587, the Magistrates and Town-Council claimed a right to the management of the Hospital; and though they were resisted, they contrived to succeed in 1616 and 1617, when they appropriated to the use of the Town the proceeds of the lands. Legal proceedings were subsequently instituted against the Corporation for recovery of the property, and for count and reckoning of bypast abstracted rents. After a keen litigation for upwards of two years, during which the case was carried to the House of Lords, that House pronounced a final decree on the 25th of July 1758, enjoining the Town-Council to cede the possession of the Black Friars', Charterhouse, and other lands, to the Hospital Masters, and the tenants to pay their rents in all time coming to the same.*

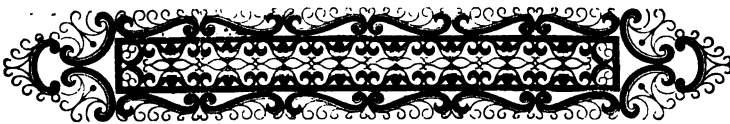
The Hospital was at first a temporary edifice, and in 1579 it was proposed to accommodate the inmates either in the Grey Friars' or St Paul's Chapel. In 1596, the Kirk-Session ordered the erection of a proper building at "Our Lady's Chapel on the Shore," and this was the edifice demolished by

* New Statistical Account of Scotland—Perth, p. 109, 110.

Cromwell, when he appropriated other public buildings for his citadel on the South Inch. In 1676, the Episcopal incumbents of Perth reported to the Diocesan Presbytery—“They had no Hospital, it having been pulled down by the Englishers, and never yet rebuilt.” The present Hospital House, a large and commodious building, three storeys high, finished in 1750, stands near the site of the Carthusian Monastery. In 1837, the net income of the Hospital from the old foundation was L.597:8:6, which supported sixty-one poor persons.

This Hospital of King James VI. has preserved many of the ancient records already noticed in the present volume. The Canons enacted in the National Councils of the Scottish Church, and which are said to have been deposited in the Dominican Monastery at Perth, were destroyed or abstracted at the Reformation; but the chartulary of that Monastery, in which one hundred and sixty-two charters were transcribed, and the same number of loose charters or writs, are preserved: also the Prior's Account-Book, or receipts of rents, from the 20th of June 1557 to the 6th of May 1559; twenty charters which belonged to the Carmelites or White Friars, ninety-two which belonged to the Carthusians, and two hundred and seven which belonged to the Chapels and Altars.





The Demolition of the Monasteries.

[THE substance of the following narrative, it is stated by Mr Morison, in his letter-press of the "Sketches of Scenes in Scotland, with Historical and Descriptive Illustrations," by Sir William Keith Murray, Bart. of Ravelston and Dunottar, was "obtained many years since from a lady, a descendant of Principal Tullideph of St Andrews, one of whose ancestors had warmly espoused the cause of the Reformers. Where her outline of his story has in any case been filled, it has been by reference to Mr Row's MS., to the local chronicles, and to history." It is only necessary to add that the narrative is inserted here in the chronological order of events, on account of its rarity, rather than as approving the *animus* which pervades its details.]

WATE in the evening of a beautiful day at the close of April 1559, a young man arrived at the Hospital of Suggieden* bearing marks of long travel. He was accommodated with a seat at the chimney corner, and to the usual simple fare which was set before him by the attendant monk he did ample justice. When his hunger was somewhat appeased, he began to survey the apartment and its inmates. It was one of those long, narrow, and rudely-finished rooms common to the monkish hospitals or places of refreshment: the fireplace occupied nearly one of the narrow ends, and a long stone table with stone benches at either side of the fire, with a few chairs of heavily carved oak, were its only furniture. The attendant sat near the door. Three other monks had occupied the bench on the other side of the fire, but had withdrawn to a greater distance on the entrance of the stranger. They appeared engaged in earnest conversation, and the subject

* The Hospital of Suggieden stood on or near the site now occupied by the mansion-house of Seggieden, which is seen among the trees on the east bank of the river, nearly opposite the ruinous Nunnery and Castle of Elcho.

seemed to relate to the traveller, towards whom their eyes were frequently directed. The distance from the fire at which they sat prevented the stranger from examining their features minutely, but it seemed to him as if the face of the monk who sat between the others, and who was evidently imparting news to his neighbours, was not unknown to him.

"You bear tokens of having travelled far to-day, young man?" said one of the trio, who by his habit seemed to be the master or superior. "I have walked across the greater part of Fife since sunrise," replied the traveller, "intending to have reached St Johnstown to-night; but I fear I must crave lodging of your bounty, for I feel exhausted and unable to proceed farther. The boatman at the Ferry of the Loaf,* who seemed to pity my halting, told me I was secure of your hospitality." "The poor Brethren of St Augustine never shut their door against the weary traveller," responded the same monk, "and although our fare, according to the rule of our order, be homely, thanks to the good Prioress of Elcho over the water, and the good Knight of Kinfauns, the friend of all true Catholics, it is seldom scant, and it is given as freely as it is received. But, young man," added the monk, while he laid his tablets and writing materials on the table, "these are troublous times, and we must render a faithful account of all to whom the shelter of this roof is granted: to whom shall I say it hath been extended this night?" "I knew not," said the youth, "that such was ever the custom in merry Scotland. But I have no motives for concealment. My name is Oliver Tullideph; I come from St Andrews, and am now so far on my way to visit certain friends in St Johnstown." "Knewest thou that arch-heretic Wishart?"† asked the other monk, whose features Oliver had been in vain endeavouring to remember. At this moment the attendant threw a fresh pile of faggots on the fire, and a bright glare was suddenly thrown over the gloomy apartment. A painful

* The *Ferry of the Loaf*, noticed in ST VALENTINE'S EVE, or the FAIR MAID OF PERTH, is about a mile down the river below Seggieden.

† [The name of George Wishart the "Martyr" seems to be most unnecessarily introduced in this story. Wishart was incriminated at St Andrew's on the 1st of March 1545-6, upwards of thirteen years previous to the demolition of the Religious Houses.]

expression of recognition passed over the features of the youth, as he replied in bitter accents—"I was present at his—death." The monk to whom he addressed himself rose, and was about to reply, when his companions checked him. All three resumed their seats, and again communed for some time in a low voice. No farther notice was taken of Oliver, and he soon retired to his pallet. In the course of the night he was awoke by the monk who had taken no part in the interrogatories of the preceding evening. "Stranger," he said, "you are suspected and watched. Leave this place with the first streak of dawn. Go not by the way of Kinfauns. The Charteris Family were never friendly to the Huguenots. A path to the left will conduct thee along Kinnoull to the Fair City. Be circumspect there. You have friends, but you have also many enemies."

Ere Oliver could reply, the monk was gone. He did not again sleep; rose with the first indications of morning, with grateful feelings towards his unknown friend; took the path to which he had been directed, and, ere the sun had risen, found himself far above the place of his sojourn, among the cliffs and crags of Kinnoull. The view from the spot he had now attained was well calculated to arrest his attention. Above him rose the stupendous cliffs of Kinnoull, with a magnificence so rude and wild as almost to make him doubt whether he could be so near the busy habitations and resort of men, while beneath him lay stretched far the steep declivity formed of the debris of the rocks, covered with furze, now in full golden bloom, interspersed with clusters of the sloe tree, which, laden with their white flowers, lay like patches of snow along the broken declivity. At the bottom of the valley the majestic Tay wound along, now skirting the woods of Kinfauns, above which the towers of the Castle* rose majestically, now winding around the walls of the Hospital of Suggieden, reflecting from the opposite shore the spires and towers of Elcho, now meeting the waters of the Earn and

* [This was the ancient Castle of Kinfauns, long removed, the seat of the influential Family of Charteris of Kinfauns. The present Castle of Kinfauns, the seat of Lord Gray, was begun in 1822, from a design by Smirke, and was erected by Francis fifteenth Lord Gray.]

widening into the broad frith, while they were lost to view between the height of Norman Law and the broken and wooded knolls of Inchyra. As Oliver stood contemplating this splendid combination of all that constitutes beauty in a landscape, enriched, as it then was, with the mellow light of the rising sun, he was startled by the sound of loud cries mingled with shouts and peals of laughter reverberating among the rocks. It seemed to come from the westward, and in that direction he cautiously bent his steps. On attaining one of the abrupt projections of the rocks, where the whole extent of the crags on both hands stood exposed to view, a singular scene presented itself. At the opening of a dark but narrow fissure in the rocks stood a figure fantastically dressed, and adorned with garlands of flowers. Several young men and women were clambering up the rocks towards the cavern, while a knot of spectators stood below, whose shouts rent the air, as occasionally some unlucky aspirant missed his or her hold, slipped down again into the crowd, or, more unlucky still, regained not their footing until they had toppled down the steep bank beneath, which was formed of small stones too recently dislodged from the parent rock to admit even of a handful of furze or fern to break the fall of the unskilful. Beyond this crowd a long line of people in their holiday attire, among which many religious habits were visible, extended along by the foot of the cliff, until lost to view within a ravine, out of which the procession seemed still slowly advancing.

As Oliver drew near, he observed an elderly respectable looking citizen standing aloof from the rest. To him he advanced, and, after the usual salutations of the morning, inquired what this concourse meant. "You are surely a stranger in these parts," replied his informant, "not to have heard of the Festival of the Dragon on May morning?"* "I had heard of such a custom being observed at St Johnstown, but knew not that a spot so wild and romantic had been chosen for its celebration. I think it is said to have had

* [The Dragon Hole on the front of Kinnoull Hill is prominently noticed, and its May-Day frequenters are particularly denounced, in the following extracts from the Perth Kirk-Session Registers.]

its origin in the rejoicings which were instituted after the slaughter of a dragon which long infested the neighbourhood?" "And a dragon of no contemptible taste," rejoined the citizen, "for the virgins he kept in durance here were remarkable for beauty. Between ourselves, I suspect the true monster lived on the Law below us, while the inhabitant of the rock was the offspring of the priests, who wished to cloak the misdemeanours of their patron under the wing of this dragon. But the mummeries to which the fable has given rise will soon, like many others, be rooted out of the land." "I am surprised," remarked Oliver, "that you should so freely give expression to such opinions. We who live within gunshot of the Cardinal's Castle, or within reach of his many ears,* are obliged to keep such sentiments within our own bosoms." "And such was until of late the case," replied the citizen, "within the walls of Perth. Many summers have not yet passed since these eyes witnessed the execution of five men on the South Inch, and the wife of one of them drowned for refusing to join in intercession to the Saints. One of them, with his wife, had been so bold as to interrupt a friar in his discourse when he taught that there was no salvation without prayers to the saints. Three of the men had manifested their dissent in a still stronger manner:—they nailed two ram's horns to St Francis' head, put a cow's rump to his tail, and ate a goose on All-Hallow Even. The fifth, a simple fellow, was hanged for keeping company with them, although it was proved that he did not taste of the goose. The Cardinal and the Earl of Arran enjoyed the execution from the windows of the Spy Tower. But such cruelty would not now be tolerated—the people would rise in a body. The clergy are aware of this, and although it galls them to the quick to hear the open manner in which the citizens talk, they dare not testify their displeasure otherwise than in their discourses, where they do lash us, it must be confessed, pretty freely." "Alas!" said the youth, "it was about the same time I was forced not only to witness but to aid in the cruel death inflicted on one of

* [This is another allusion as unnecessary as is the introducing of George Wishart into the story. Cardinal Beaton had fallen by the hands of base assassins upwards of thirteen years previously.]

my own kinsmen under the windows of the Cardinal's Castle. The tortures inflicted on the unhappy people you mention were merciful compared to those which Wishart suffered." "Was Wishart, then, your kinsman?" interrupted the citizen. "He was my mother's brother," replied Oliver. "What!" said the old man, "are you Robert Tullideph's son?" "The same." "Then you must have heard of his school companion, George Johnston?" "I bear a letter to him," he replied. "I rejoice to see you," said the old man, holding out his hand; "next to Robin himself, there is no one whom I could welcome more heartily to my roof. Come, let us leave these mummers; I but came out in my capacity of Bailie to see that no bruilzie arose, and as they all seem peaceably disposed I may leave them to their daffin'." So saying, the old man conducted Oliver by a winding path which gradually led them to the western shoulder of the hill. "There," he cried, as he attained the summit a few paces in advance of his young friend, "there stands the Fair City, and I think you will say she deserves the name." Oliver's exclamations of surprise and pleasure when he came within sight of it seemed greatly to gratify his guide, to whose garrulous mood it gave additional impetus. "Aye, there she reposes, calm and serene, betraying none of those warring passions and factious throes which are secretly agitating her bosom. What a pity it is, my young friend, that these proud priests, who have decked her out so finely, will not read the signs of the times, and cease to fan the flame of civil discord by the intemperance of their harangues! The religious communities with which Perth is surrounded are tearing asunder the bonds which erst united her citizens together, and these gorgeous buildings you now admire are become the pest-houses from which evils innumerable are creeping out upon the land. Yet there are not wanting moderate men among them, who would willingly allow us liberty of conscience if the more bigoted would but listen to them. The Warden, now, of the Franciscan Observantine or Grey Friars' Monastery—that building you see nearest us outside the walls—is well known to be the secret favourer of the new doctrines. There are but eight of them in that huge house—good canty fellows all of them; known, too, privately to keep

an excellent table, and willing to let all the world alone so that they are not disturbed at dinner time. But then they are in constant dread of the firebrands in that princely building you see on the same side of the town farther to the west, who can write although their rules forbid them to speak. Austere fellows they are, these Carthusians, and pride themselves not a little on this their only establishment in Scotland, and on the odour they and it are in with the Queen Regent. But for all their austerity, there are queer stories told of them and the nuns in the Convents of St Leonard and the Magdalene, both of which are a short distance to the southward; they are hid from us just now by these trees on the left. Certain jolly skippers, too, from the coast, from whom I sometimes get a keg of Nantz under cover of a few oysters or haddocks, and who take my gloves and other leather articles of dress to Dundee, wink and glance knowingly towards this "*Monasterium Vallis Virtutis*," as the monks call it, while they hint about the many good and ghostly customers they have in Perth. Then there are these Dominicans: beggars they profess themselves, like the Franciscans, and sturdy ones they are. See how comfortably they have set themselves down in that palace you see without the walls, on the north side of the town, just over the Castle there. Ah! these Black Friars are your men for the pulpit! If you want a good easy confessor, go to the chapels of St Paul or St Katherine you see peering above the trees on the west side of the town, and there find one of the Carmelites, or White Friars, from Tullilum, a Monastery still farther to the west, hid from us by the wood; but if you want a discourse that will keep you quaking for a week, go to the church of the Dominicans. And well worthy, let me tell you, it is of a visit: such halls, such aisles, such windows!—the gardens too, and the Gilten Arbour! No wonder our monarchs forsook that old gloomy palace you see at the end of the bridge, for the sweet arbours and soft beds of the Black Friars, although James the First of blessed memory found it anything but secure. But come," added the good-humoured old man, "I forget that neither of us have broken our fast this morning yet. Let us be moving onwards, and as we descend the hill I shall try to make you

acquainted with others of these stately edifices, which you will, I hope, take many days to examine and note. There, now, where will you find in Scotland, letting alone your Cathedrals, a more graceful fabric than the Church of St John, towering above all the other buildings in the very centre of the town? It is well worthy of being dedicated to our tutelar Apostle, although, in truth, so many altars have been reared within it to other Saints, that our great patron has scarcely been left a niche he can call his own; as if there were not chapels enough in the town beside. There you have the Chapel of the Virgin close by the end of the Bridge, where no traveller, however wearied, omits in passing to put up his Ave. Our own Craft have a chapel dedicated to St Bartholomew, whose flaying alive, strange enough, finds more sympathy among those who live by flaying than among any other craft. It is hid from us by the Castle walls, and there the bell which warns the inhabitants to go to bed betimes is hung. St Anne, the mother of the Virgin, is honoured under these pinnacles you observe near the Church of St John. The school-house is just at hand, and in the sanctuary of this patroness of instructors the little urchins are taught to mumble their Paternosters, and receive a weekly lecture from some of the Friars appointed by the patrons. To the west, again, besides the Chapels of St Paul and St Katherine already pointed out to you, outside the walls there is a Chapel of the Cross or Holyrood at the South-west Port, the resort of those who have heavy consciences and light purses. Nearer us, and not far distant from the Chartrieux or Carthusian Monastery, you may observe a building with a spire in the form of a crown: that is the Chapel of Loretto—like its prototype in Italy, famed for its riches, and for having come through the air from the Holy Land, at the intercession of all the Friars in the town;* and a capital speculation they have made of it, for who can expect to have an Ora or an Ave put up for him in a place so far travelled without paying handsomely for it? Some of the populace have long had their eye on the gold

* [This is a most gratuitous and absurd statement. The Chapel of Loretto at Perth was a very humble edifice, and no miraculous power was ever ascribed to it.]

and silver which is lying useless there.—But I tire you with my gossip. We shall soon be at the Bridge. Ah! there it is among the trees—a stately fabric, is it not, with its towers and minarets? Dreadful was the conflict which was witnessed there in the time of the late persecution, when the troops commanded by Lord Ruthven, and the soldiers brought from Dundee by Lord Gray, disputed that entrance to the town. Many a stout fellow who escaped the steel and the lead that day found a watery grave, when the parapet yielded to the press of the multitude. Those towers you see flanking the Bridge at the Town Gate are perhaps the strongest and most defensible of any around the walls. The North Gate near the Castle is scarcely inferior, and the Spy Tower, near the Grey Friars' Monastery on the south, is higher and more capacious, being often used as a prison; but the Bridge Gate is considered by men of skill in such matters a masterpiece of its kind."

They were now within the city, and were ere long comfortably set in the Bailie's house in the Skinnergate, rewarding the appetite which their morning walk had given them with a cold pasty and a stoup of claret. The Bailie's family consisted of his wife, a daughter and a son, the latter a shrewd lad of sixteen. Oliver soon found himself at home amongst them, and spent some days in surveying more closely the numerous and interesting buildings of which the Bailie had given him a sketch from the Hill of Kinnoull.

One evening, while discussing around the hearth those subjects which were then all-engrossing, the glover's son was observed to take no part in the conversation, and to be in a mood unusually thoughtful and reserved. "What is the matter, William?" said his father; "I have not often seen you so studious." After some little hesitation the lad confessed that a circumstance which had happened to him in the school that day was likely to bring him into trouble. He stated, that on the preceding Sabbath the boys of the Grammar-School, to the number of three hundred, had been assembled in the Chapel of St Anne to listen to the discourse of a Friar from the Dominican Monastery. Towards the conclusion of his sermon the Father narrated some of the many miracles which the

brethren of his Order had performed. Many of his narratives were too absurd even for the schoolboys, and a hiss, once begun by the most forward, soon found a ready echo among the juvenile assembly. The Friar stormed and fumed, threatened them with the rod and the displeasure of the Church, but the juvenile reformers were not to be intimidated; they took up the stools and forms, and chased the Friar out into the School Vennel. A stranger monk, who was to preach to them next Sabbath, went and demanded the protection of the civil power. Mr Adamson, the Dean of Guild, ancestor of the local poet of that name, to whom he applied, advised him to let the subject of miracles alone, and confine himself to facts. Enraged at this reception, the monk waited on Mr Synson the teacher, a rigid Catholic, and obtained his promise that he would find out the ringleaders and give them such wholesome arguments *a posteriori* as would convince them of the miraculous power of the Church. He had that day made inquiry, and William Johnston had confessed the early part he took in the offensive proceedings. "He was preparing to flog me," added William, "when I took out Davie Lindsay's little book, which you, father, gave me some time since. I told him that was the book which showed me the folly of the Friars' stories, and that if he did not laugh when he read it, I would submit to double punishment. It is the fear of your displeasure, father, for what I have done, which distresses me." "Bravely done!" said Oliver. "Rather rashly done, however," added his father, "but it was right of you, William, to tell the truth: we must now abide the result." To the no small surprise and pride of the Bailie he was waited upon privately, a few days afterwards, by Mr Symson, who, telling him of his son's conduct, with many expressions of encomium which brought the tears into the old man's eyes, added—"I have read the book, and I cannot gainsay it. The teacher stands reprov'd by the scholars. I shall interpose between them and the irritated monks." Such was one of the many indications which were then given of the rapid progress which the new doctrines were making among disciples of all ages.

At this eventful crisis John Knox arrived in Perth on Wednesday the 10th of May 1559. The following day (a day

of weekly commemoration in Perth ever since), Oliver, along with Bailie Johnston, joined the crowds who flocked to the Church of St John to hear the sermon which the great advocate of Reform doctrines was expected to deliver. That spacious building, not shorn as now of its fair proportions, nor cut down into separate apartments, nor choked with galleries, but forming one simple and majestic temple, was, long ere the speaker appeared, thronged in every part, save in those divisions of the aisles which were set apart for the altars and shrines of the several Saints, to whose service the wealth of not a few substantial burghers and powerful barons had at various times been dedicated. Within these little sanctuaries many a churchman now stood, looking with no benignant eye on the crowds who occupied the steps or pressed irreverently against the balustrades, which they until now were wont to approach with bended knee. At the east end, on the steps ascending to the High Altar of St John, the loftiest of the shrines, Oliver and the Bailie had found a place from whence they obtained a full view of the interesting scene. On either hand the middle walls rose to a great height, supported on ranges of massive pillars terminating in high pointed arches. Unlike the more richly-decorated cathedrals of the South, no groins or transverse arches broke in upon the long central hall, save where the arches on which the tower rested swept across between the transepts. The simplicity of this arrangement gave great effect to the upper lights from the long ranges of narrow Saxon casements which run along the walls above the arches, and brought out in bold relief the rich ornaments of the heavily carved and gilded ceiling. The hour was early, and the beams of the sun fell slantingly through the eastern and southern windows, producing an alternation of lights and shadows which added greatly to the picturesque effect and apparent extent of the building, lighting up with varied and brilliant hues the choir in which they stood, and throwing gradually into shade the receding arches, which being actually lower and narrower at the more distant and more ancient part of the "Kirk of the Holy Cross of St John," beyond the tower to the west, gave an appearance of almost unlimited perspective in that direction.

From this imposing sight, rendered doubly interesting by the dense congregation and the cause which had brought them together, Oliver's attention was withdrawn by what was passing within the pale of the altar near him. A number of the priests stood in a line in front, clothed in their most gorgeous vestments, as if to overawe the multitude by the splendour with which the altar and its attendants were adorned. But they looked in vain for the homage of the once subservient crowd. A few among those nearest the pageant doffed their bonnets, but none, even of the men who under other circumstances might still have bowed the knee, now ventured to render any marks of external worship; there was that in the aspect and bearing of the multitude which made even the proud priests quail before it. One eye alone was firm, one breast unmoved. "See," whispered Oliver to his friend as he directed his attention to the tall figure of a monk who stood close by the altar, "observe that man standing by the altar: while every lip quivers and every cheek around him is pale, he alone is as insensible to fear as I know him to be to pity. I need scarcely tell you that that is Aubrey—he who was not content with mocking the sufferings of my kinsmen, but compelled his friends to witness them—he whom I met again at Suggieden. I have learned since I came here that he has been sent to try what effect his well known inflexibility and eloquence may have in stemming the tide of popular discontent; and were it not that I see equal determination and firmness written on the brows of all around me, I should fear much from the talents and craft of that man. See, something is in agitation amongst them: they gather round him and consult. They are preparing to celebrate mass!" Although this was addressed to Johnston in a low voice, the purport of it seemed to have been overheard by some of their neighbours, whose attention was thus directed to the group near the altar, and a low murmur began to circle round them, attended by some agitation. "For goodness' sake, my friends," said the Bailie in a low tone to those near him, "be quiet, be silent!—they cannot be so mad as to attempt it. Do be quiet! Oliver, I entreat, be calm!" he added, as he saw the blood mantling to the young man's cheek. But this was

called up by a cause different from what the Bailie surmised, who stood with his back to the trellis work as he addressed his townsmen, and did not observe that Aubrey had approached them. "Rash boy," said the monk, in a tone so hollow as to be heard only by the person whom he addressed, "I thought thou hadst already tasted too deeply of the cup which the Church puts into the hands of her enemies again to seek the chalice. By that Divine Apostle, the steps of whose altar are now profaned by thee and the contumacious rabble whom thou seekest to excite, the tortures of thy kinsman shall be forgotten in the pangs which await thee, the recital of which shall make the ears of every one that heareth tingle! Be not deceived with the hope that because the Church this day vouchsafes a hearing to one of her apostate sons ere she cast him off for ever, that she will abate aught of her heavenly attributes, or that she will yield one iota of that power which is delegated to her from on High—that power which will be as fierce in the day of vengeance as it is now placable and mild in the last hour of long suffering." At this moment a noise and movement in the crowd between the gate and the pulpit which stood at the west end of the choir, marked the entrance of Knox and his friends.

The movement in the crowd which called away the attention of Oliver Tullideph and his friends from the proceedings of the Monks, was occasioned by the entrance of John Knox, accompanied by some of the leaders of the Congregation. A passage was opened up for them between the north door at which they entered and the small pulpit opposite, which was placed against one of the centre pillars supporting the tower. The Earl of Argyll, and Stewart, the Prior of St Andrews, withdrew to one of the aisles; Erskine of Dun, Ogilvie of Invercarity, and Scott of Abbotshall, advanced with Knox to the foot of the pulpit stair, where room was made for them on one of the few narrow benches around, generally reserved for the elders of the people. The light which streamed in from the east window of the transept fell on the aged reformer as he ascended the pulpit, and rendered every feature of his care-worn countenance distinctly visible where Oliver stood. The glare of the light probably incommoded him, for his

manner at first appeared confused and hesitating ; and when, with a voice naturally weak, and a frame nervous and unsteady, he began to address the yet restless crowd, Oliver wondered how fame could have so extolled the merits of the preacher, or how his addresses could have produced the effect which had been ascribed to them. But as he proceeded to lay open the defections of the Church—as he contrasted the luxury and splendour in which she now appeared with the simplicity and poverty of her youth, his whole frame seemed to undergo a change, and strength and animation took the place of debility and doubt.

With the energy of the preacher the attention of the assembly awoke : every eye was fixed upon him, and his every word seemed to find its way to their bosoms, calling up the most marked expressions of enthusiasm and approbation on the great mass of the crowd, and of stern defiance among the priests, whom the fervour of his address brought by degrees out of the lateral recesses, and who were now seen peering from among the protecting balustrades.

From contrasting the present with the past state of the Church, he proceeded to hurl against her the sublime denunciations of the Old Testament Prophets against ancient Babylon, confirming them with the anathemas against her spiritual antetype from the Revelation ; and as he quoted the passage in which an angel is represented as casting down a great millstone, and pronouncing—“ Thus with violence shall Babylon be thrown down,” the pulpit seemed to yield under the almost frantic energy with which he was agitated. Had he ceased at that moment, the enthusiastic feelings of the auditory were so wound up that nothing could have withheld them from executing literally on the monuments around them the predictions of the Prophets. But, gradually subsiding from this enthusiastic tone, he addressed himself to the more sober judgment of his hearers, painted in forcible language the ultimate consequences of perseverance in error to themselves individually as well as to the nation, and closed by exhorting them to put away the unclean thing from among them, but to do it with meekness, and to temper mercy with judgment. So rapt were the audience, that Knox withdrew

from the church along with the attendant Lords almost unobserved, and for some time afterwards the people stood as if expecting the preacher again to appear amongst them.

During the discourse Oliver and his friend kept their places on the steps of the great altar. The young man was deeply interested in all he saw and heard, and for a time forgot that he was so near his arch-enemy; but as Knox concluded, he remembered Aubrey, and turned aside to see the effect of the address on one who had hitherto resisted and scorned every appeal. If that stern priest had been among the listeners he had now withdrawn, nor could Oliver recognise him among the monks who, within the shrine, were evidently resuming the rites which the sermon had interrupted. "Infatuated fools!" said Oliver to his friend, "they rush headlong on destruction! See, they persist in their frantic design!" This was said sufficiently loud to be overheard by the bystanders, whose eyes were now directed to the shrine. In front of a low altar, surmounted by an ebony crucifix on which a figure of the Saviour was most exquisitely carved in ivory, several priests in their officiating vestments kneeled. The tapers were lit; and as they began a chant, which was responded to by voices in the opposite aisle, a curtain behind the crucifix slowly rose, disclosing a painting representing the martyrdom of St Bartholomew. The scene was imposing, and had the intended effect on a few of the crowd, who instinctively did reverence. In vain Johnston attempted to keep back his companion. Oliver rushed towards the railing and exclaimed—"Down with the profane mummery!" at the very instant of the elevation of the Host. "Blasphemer!" responded a well known voice, and Oliver was at the same moment struck to the ground. It was the application of the spark to the mine. Simultaneously the crowd in the choir rushed towards the shrine of St Bartholomew, the balustrades gave way before them, and ere the priests could arise from their prostrate attitude, they were trampled under foot, the altar overthrown, the picture torn from the wall, and all the rich ornaments wrenched from their places and demolished. The example thus set spread: the other niches shared the same fate; and "within one hour, the great riches" of the once beautiful church of St John were "come to nought."

The blow which felled Oliver had been inflicted by a staff or other lethal weapon, and he lay for some time nearly insensible, while the crowd passed over him. When Johnston at last extricated him, he, to the entreaties that he should go home, professed himself quite recovered and desirous to see the issue. "To say the truth," the Bailie replied, "although I would not wish you to exert yourself beyond your strength, I should myself like to see the result of this. I am afraid the fury of the populace, once roused, will not be allayed while a monument of what they now call idolatry is left. I do not grudge these arrogant priests being reminded that they are men and not gods, but I do lament much that they cannot be taught this without the destruction of so much that was ornamental to the land and to our good town in particular." With these words he led the way out of the church, now empty and desolate, saving a few straggling priests, who, pale and dismayed, were skulking in the most retired corners. Following the track and buzz of the crowd, they passed south by the Chapel of St Anne, now despoiled like her more majestic brother—the windows broken and the tables of the school-room shattered and lying about in the yard, the boys themselves having gladly availed themselves of the opportunity to escape, and to lend their assistance in repaying to their taskmasters the monks some of the correction which had been, as they thought, so unsparingly dealt out to them.

The noise was now in the direction of the Grey Friars' Monastery; but when they reached the South or Spy Tower they saw enough to convince them that interference there was too late, the clouds of dust from the crumbling walls indicating too distinctly the near completion of the work of destruction. In a few minutes the multitude began to move in a dense body along the Spy-ground, or glacis in front of the tower, where the Bailie and Oliver stood. "Alas!" said the former, "they go to the Chartrieux, that princely, that gorgeous edifice—the glory of Scotland—the pride of Perth! The Queen will go mad! Something must be done: surely their hands may be stayed." As he thus ejaculated he bustled through the stupendous south gate, rushed among the

leaders of the people—entreated, scolded, supplicated, and threatened. As well might he have spoken to the waves of the ocean when they rise and are troubled. Onward the crowd went, and the two friends were carried along by the current. At the Chartrieux, or Charterhouse, a pause took place. The gates were fastened from within. “Come out, ye men of Belial, ye slaves of Jezebel!” shouted the infuriated mob. But no voice responded from the Monastery, where all seemed still as death. “The Cross! the Cross!” cried a voice from among the crowd; and immediately a party debouched towards a large wooden cross which stood outside the walls near the west gate. It was torn up, and carried to the gate of the Monastery, which soon yielded to the blows with which it was assailed. Here Oliver, separated from his companion, was hurried into the building along with the leaders of the mob. Every hall was empty, and the choicest pictures removed—not a monk was to be seen. While the populace were demolishing the few articles of furniture which remained, Oliver observed a part of the wainscoting open gently, and rapidly close again. Pointing this out to some of his companions, they without difficulty detected the concealed door, forced it open, and descending a narrow flight of steps found themselves in a large dimly-lighted vault, on the floor of which, amidst a profusion of shells, and other relics of viands more dainty than the rules of the Order exactly warranted, the costly gear of the Monastery was lying in heaps. The monks assembled there at first offered resistance, which from the narrowness of the entrance might easily have been made effectual; but on being reminded that if the part of the building above them were pulled down they must inevitably perish amidst the ruins, they came to terms with their invaders. Through their representations, the conservatory immediately above the vault, with its far-famed gateway, was, of all the monastic buildings in Perth, alone saved; and to the timely caution of the Observantine Brethren Perth owed the preservation of that beautiful gateway, which was removed to, and was long deemed the chief ornament of, St John’s Church.

Oliver, satisfied with having been instrumental in saving

one fragment of the finest building in Scotland, and little dreaming that the successor of his friend Johnston in the civic chair would in less than a century join in ordering the demolition of that solitary memorial of departed greatness,* now directed his steps homeward, and as he passed down the South Street, met a party of the destructives emerging from an arched way leading to the Chapel of the Holy Rood. Having wreaked their vengeance on that secluded sanctuary, they were now proceeding to the Chapel of Loretto in the neighbourhood, which speedily shared the same fate. Just cause as he had to hate the monks, his heart sickened at these endless scenes of wanton mischief, and he hastened to leave them, and to seek the quiet of his own chamber. Finding his direct road to Johnston's obstructed by the crowds which the alarum bell had called together, he took a more circuitous route by the Watergate, which was in a state of comparative calm. On leaving it, and turning down the High Street in order to reach the northern side of the town by the boulevard stretching from the Bridge within the city walls, he had to pass the small Chapel of the Virgin adjoining the Bridge Gate. He stood a moment to admire it, and to lament that an object so unobtrusive, yet so beautiful, was not likely to escape the ruthless hand of the reformers. The architecture was Saxon, with a mixture of the style of a later date, the most prominent part of which was a tower† in the style of architecture ascribed to Cochran, the favourite of Robert III. Curiosity prompted him to step within the threshold. In the small but tastefully ornamented oratory several nuns were in the attitude of prayer before the altar. He remained only to cast a hurried glance around, but during that short interval the door at which he entered had been shut. While endeavouring with no small impatience to undo the bolt, he was suddenly laid hold of, gagged, lifted up in the arms of two monks, and, accompanied by a number more of the same order,

* Towards the conclusion of the eighteenth century, this beautiful gate, which then ornamented St John's Church, was demolished by an edict of the Magistrates.

† The lower part of this tower still remains. The spire on it is modern. There are other parts of this Chapel still standing.

hurried out of the oratory at a low narrow door, and through a long dark passage, on emerging from which he found himself in the Lady Walk near the Bridge. A wicket adjoining the large gate was opened to them through which they hastened, and, mounting some horses apparently awaiting them on the bridge, rode off at a brisk trot, with Oliver, now released from his oral bondage, but with his hands tied, mounted behind one of the monks. At a rate very inconvenient to one in Oliver's situation they ascended the Hill of Kinnoull by a circuitous path among the trees, the foliage of which was so impervious that all view of the valley below was shut out, until near the summit of the shoulder of the Hill round which the road wound. At a projecting point of the road there they came suddenly within view of the valley, when the party halted. Even at that distance the desolations which a few short hours had wrought on the Fair City were but too evident. Of all the stately buildings which Oliver had so recently been called upon to admire, St John's alone remained; shapeless masses of ruins now filled up, on the south and west, the spaces which the day before shone with pinnacles and spires; while, to the northward of the walls, volumes of smoke darkening the air attested too fatally that the royal halls of the Dominicans had not escaped the wreck and ruin of that dread day.

The party to which our traveller was unwillingly attached surveyed the scene in silence, but their cowls were too closely drawn around their faces to enable Oliver to scan the emotions with which they contemplated it. Turning from it, and plunging again into the wood, they soon surmounted the highest point of the ridge, and began to descend towards a building the lofty towers of which rose between them and the broad expanse of the Frith of Tay. The scene had too recently drawn forth Oliver's admiration not to be instantly recognised by him. He had seen it the previous morning partially obscured by the early mists: it now lay under a cloudless sky, deeply tinted by the setting sun, which imparted a striking depth and breadth to the shadows of the surrounding hills, and to the long lines of trees and hedgerows intersecting the broad and luxuriant Carse of Gowrie. Not a breath of air

moved the leaves of the trees which formed the dark rich foreground, or rippled the surface of the wide bosom of the waters. The rooks were wending their way silently towards Strathearn, and the hawk, heedless of his prey, sought his eyry in the grey cliff. Such were the sweetness and repose of the scene, that, but for the noise of the horses and his uneasy seat, Oliver could almost have forgotten that he was a prisoner. As they approached the Castle, however, the stillness was broken by shouts of revelry from within its walls. Suddenly the noise of mirth ceased, and the party had entered the court, and were at the threshold without either groom or servants appearing. The monk to whom the prisoner was bound halted under the great oriel window, so that Oliver was soon able to discern the cause of the stillness. At the head of a long table, thronged with the fair and the gay, sat Sir John Charteris, the Lord of Kinfauns. Near him an aged minstrel bent over his harp, which he gently touched at brief intervals, as if to allow time for the attendants to arrange themselves around the lower part of the hall, into which they had hastened when the first note of his prelude was heard; for often as the minstrel had sung within those walls the exploits of Longueville and Wallace, the subject was associated with so many feelings gratifying alike to their pride and patriotism as always to seem new. On a velvet cushion beside the minstrel was laid a large double-handed sword, while above him a banner waved, on which the arms of the Protector of Scotland were coupled with those of the Lord of Kinfauns. Gradually changing his hesitating note to one of warlike accent, and again subsiding to a more mournful key, the aged man thus mingled the accents of a full though tremulous voice with the music of his harp.

The Minstrel's Song.

HUSH'd, hush'd be the sounds of the wassail and laughter !
The smile of the maiden to sadness be changed !
For the proud hearts of Scotland are called to the slaughter,
The foemen are now on the battle-field ranged.

But where is the lion-heart foremost in danger,
 The patriot who stemmed the usurper's career?—
 Alas! o'er the wide sea he wanders a stranger,
 An alien from home and from all he holds dear!

See! see that proud galley o'er mountain-waves bounding!
 The pirate's black pennon is seen through the blast:—
 Hear! hear how the clang of the conflict is sounding!
 And the colours of Scotland are nailed to the mast!

He yields to the prowess of Scotland's Protector!
 De Longueville's pennon is torn from its crest!
 But the arm is outstretched of the valiant victor—
 He takes him, an ally and friend, to his breast!

See! see them returning, companions in danger!
 The walls of Kinfauns echo welcome again!—
 Alas! he returns to be sold to the stranger,
 A dungeon his kingdom—his empire a chain!

This sword, of his friendship the pledge, be the token
 That Scotsmen are firm, and their country is free!—
 Till the spirit of Gray and of Charteris be broken,
 Memorial of Wallace, we gather round thee!

Ere the customary plaudits had subsided, the person who seemed to act as the leader of the monks had entered the hall, and as he passed up towards the dais, Oliver's suspicions of having fallen into the power of Aubrey were confirmed. In brief space the monk told his disastrous tale to the Knight, who hastily communicating it to his guests, the whole party were instantly in the court-yard in quest of their steeds. More than once, during their flight from Perth, Oliver had endeavoured in vain to draw the monk who guarded him into conversation, and he now again attempted to get from him some information respecting the intentions of the party, entreating, on account of the weakness and fatigue he laboured under, to be left, even in confinement, at Kinfauns. Still no answer was returned, and when the Knight and his companions set forth, the monks with their prisoner accompanied them. They took the same path over the hill which Oliver had already travelled; then, keeping more to the right, crossed

the Tay above Scone, and, ere morning dawned, had joined the forces of the Queen Regent at Auchterarder.*

Oliver was strictly examined respecting the views of the Reform party, but although it was evident to his examiners that he really was possessed of no information beyond what they themselves knew, still he was kept a prisoner; and, on the plea of his having been principally accessory to the rising of the people, was in that capacity taken publicly into Perth, when the town, under pretence of moderation, was occupied by the Queen's party. Johnston interested himself greatly in his behalf; but the Magistracy was now changed, and so far from acting according to their professed principles, the High-Church party† exercised the utmost hauteur and even cruelty towards the inhabitants, the soldiers wantonly shooting at them on the streets without calling forth a reprimand from their superiors.‡ All that Johnston could obtain was the promise of an open trial for his young friend, who in the mean time was conveyed to Scone, where he was kept in close confinement.

One night he was roused from his uneasy couch, and conducted to a different building from that in which he was incarcerated. There, passing under a lofty gateway, and through a hall studded with escutcheons not merely of nobility but of royalty, he was led into a long cloister or gallery, at the upper end of which, on a bench surmounted by the usual funereal emblems of the inquisition, Aubrey and others of his brethren sat. The scene was one calculated to strike terror into stronger minds than Oliver's, worn out as his body now was with the unwholesome air and food of his cell. Along each side of the long gallery were ranged attendants clothed

* [Auchterarder is fourteen miles from Perth, on one of the roads to Stirling.]

† [This is an absurd designation. No *High-Church party*, so called, existed at that time.]

‡ [This occupation of Perth by the Queen Regent's party, and the firing on the citizens, are inventions which have no foundation in truth. The Queen Regent was then in Fife, not at Auchterarder, and she was compelled to negotiate a truce with the insurgents, who themselves returned to Perth, where they concerted their future operations, and it was decided that all the cathedrals and religious houses in the kingdom should be demolished.]

in black, each holding a torch which threw a lurid and unearthly glare through what seemed an almost interminable cavern, while their flickering flame gave the semblance of life and motion to the strange, uncouth, and fantastic figures portrayed on the ceiling. The mockery of trial was scarcely attempted; no witnesses were examined; and Oliver, aware of his fate, and worn out in body and mind, gave no answer to the interrogatories put to him. His execution was ordered for the following evening, and in the meantime the tender mercy of the Church was to be shown in employing the remainder of the night in endeavouring to reclaim him from his heretical state of perdition. For this purpose he was again led across the yard in which he was to suffer, to the gorgeous chapel annexed to the Abbey, where he spent the night amidst a scene and ceremonies which, under any other circumstances, would have excited his admiration by their gloomy splendour.

Next day, when his attendant brought his usual scanty supply of food, and had not yet left his apartment, he was startled by a footstep which he thought he could recognise, on the outer stair leading to his cell, and was confirmed in his expectations by hearing his name softly called in Johnston's well known voice. The attendant instantly turned round, and with savage rage thrust his sword through the narrow space between the door and the threshold. A groan, and the fall of a heavy body to the ground, indicated that his aim had been too true, and that Johnston had fallen from the unprotected platform to a great depth.

When the attendant retired, the noise of voices in altercation was heard for a few minutes, and then all was still. But the quietness lasted not above an hour. The news of the injury inflicted on Johnston spread rapidly to Perth, and the sight of their respected citizen bleeding, and apparently dying, roused the feelings which had been externally suppressed but inwardly aggravated by the presence of the French troops employed by the Queen Regent. Formerly the populace alone took an active hand in the work of destruction; now all ranks joined them; and the setting sun, which was to have witnessed another victim to bigotry and oppression immolated within

the walls of Scone, shone forth on a shapeless mass of her ruins, amongst which a part of the Palace, including the royal gallery in which Oliver had been condemned, alone remained to attest for a time its former magnificence.

The fate of Aubrey never was known. He was probably among the monks who retreated to the Continent after the example of Perth had been followed throughout all Scotland. Johnston recovered, and often, in after years, his children visited Oliver Tullideph at St Andrews, to hear him rehearse the stirring events in which their father had borne a part.

In clearing away the ruins at Scone, the Cross was found uninjured, and it was afterwards placed, and still stands, beside one of the gates of the Abbey, also discovered entire. The part of the Palace *which even the Reformers spared* is now no more.*

["To the source," says Mr Morison, "from whence the account of the circumstances attending the breaking out of the Reformation at Perth was drawn, we are indebted for the following particulars relating to the same event at DUNBLANE."]

ON a beautiful morning towards the end of June 1559, as the people were attending mass in the Cathedral, a noise as of armed men was heard within the surrounding court.† Presently a band of warriors entered by the western portal, and advanced towards the choir in two lines, the one led by the Earl of Argyll, and the other by the Prior of St Andrews. The worshippers in the body of the church, rising from their prostrations, retreated into the aisles, while those within the

* [The ecclesiastical Palace and Abbey of Scone, destroyed by the insurgents, were succeeded by another residence on the site of the Abbot's Palace, when the Gowrie Family obtained possession of the property. After the erection of Scone into a temporal Lordship in favour of Sir David Murray, the Palace built by the Earl of Gowrie received additions, though it never was completed, and the whole of it was renewed when the present magnificent Palace of Scone was begun in 1803 by William third Earl of Mansfield and eighth Viscount Stormont.]

† [They had marched all night from Perth.]

choir, forgetting their devotions, rose up and turned with inquiring eyes towards the intruders, who, halting in their double array, nearly filled the body of the Cathedral. Their appearance was every way calculated to excite the curiosity of the spectators. Some of them were completely armed, while the greater part wore the guise of citizens, who seemed to have taken up arms in a moment of excitement or alarm; but whatever diversities in other respects were visible, in one part of their dress, and it was truly a singular one, they were alike—a rope or *halter* was suspended around the neck of each! * One of the officials at the altar, descending the steps and advancing towards the balustrade which divided the choir from the main body of the church, said — “ My Lord of Argyll, and you, my Lord Prior, what means this martial array in the house of God, and what the symbols thy followers wear? Methinks, if they betoken penance, it were fitter to enter this threshold as suppliants than as conquerors!” “ We come, Dean,” replied the Earl, “ to set forward the reformation of religion according to God’s Word, and to purify this kirk; and, in name of the Congregation, warn and charge you, that whatsoever person shall plainly resist these our enterprises, we, by the authority of the Council, will reduce them to their duty.” “ And moreover,” added the Prior, “ we, with three hundred burgesses of Perth, whom ye see here, have banded ourselves together in the kirk of St John, now purified from its idolatry, and bound ourselves by a great oath, that we are willing to part with life, as these symbols around our necks testify, if we turn back from this our holy calling, or desist from this our enterprise, until we have purged the land. So, therefore, shall we, with all the force and power which God shall grant unto us, execute just vengeance and punishment upon you; yea, we shall begin that same war which it was commanded the Israelites to execute against the Canaanites; that is, contract of peace shall never

* [Each man of Argyll’s party had this singular decoration, and the reason assigned for it was, not only that it was an emblem of their own resolution, but that they intended to hang all who deserted from them. Hence originated the soubriquet of *St Johnstown’s ribbands*, applied to halters in Scotland.]

be made till ye desist from your open idolatry and cruel persecution of God's children." "We are here in the peaceable exercises of our holy religion," replied the Dean: "if there be persecutors within these walls, they who violate the sanctuary are the men." "Peace!" interrupted the Prior: "we are not here to wrangle, but to see the commands of the Council executed. Say if ye and your brethren are willing to obey, and of your own consent to remove the stumbling-blocks, even these monuments of idolatry?" "Most reverend Father, and you, most puissant Earl," answered the Churchman, "we that are here are but servants or menials, so to speak:—whatsoever our will may be, our power reacheth not to the things whereof ye speak. Our beloved Bishop is even now with the Queen Regent, conferring, doubtless, of these weighty matters. To him your request shall be made known, and by his orders we shall abide and act." The Prior and the Earl conferred a short time together, when the latter again addressed the Dean—"We are even now on an expedition of great weight and moment, which brooketh not delay, and but turned aside to warn the lieges of Dunblane of the danger of upholding the errors and enticements of Papistry, else we had not departed without leaving this house stript of these vain trappings. Ye are now in our hands; time presseth, and we cannot trust William Chisholm. He hath bent himself too pliantly to the will of that woman who still teacheth the people of these lands to eat things sacrificed unto idols; yet we would not have it said that the people here assembled, and whom ye yet strive to deceive, were not allowed time to repent of their evil ways. This therefore will we do:—We will not advance beyond this barrier, nor disturb those who are assembled within it, but with our own hands will we cast down the images and destroy the altars which on every side ye have reared to the gods of your own making; and let the desolation now to be executed be an earnest of that which awaits, not only the place wherein ye stand, but every high place, and every abominable thing within the land." The words were scarcely out of the speaker's mouth when the shrines were entered, the images and pictures displaced, and trampled under foot. "To the brook with them!" cried the

Prior; and the armed multitude, rushing out at the portal by which they had entered, bore the relics to the banks of the Allan, and cast them in. It was the work but of a few moments, and the troops were again marshalled and on their march to Stirling. The multitude within the choir saw what passed with an air of stupified surprise, and leaving the services of the morning unfinished, gradually withdrew to their respective houses, wondering at the things which they had witnessed.

The preceding sketch of the demolition of the Religious Houses of Perth sufficiently proves that the Reformation in Scotland was "begun in the most infamous manner." * Whatever opinion may now be expressed on the utility of such memorials of the ancient Hierarchy, it is impossible not to view them with peculiar interest. In the language of Lord Hailes, who refers to David I.—"We ought to judge of the conduct of men according to the notions of *their* age, not of *ours*. To endow monasteries may *now* be considered as a prodigal superstition, but in the days of David I. it was esteemed an act of pious beneficence. In monasteries the lamp of knowledge continued to burn, however dimly. In them men of business were formed for the State; the art of writing was cultivated by the monks; they were the only proficient in mechanics, gardening, and architecture. When we examine the sites of ancient monasteries, we are sometimes inclined to say with the vulgar—'That the clergy in former times always chose the best of the land and the most commodious habitations;' but we do not advert, that religious houses were frequently erected on waste grounds afterwards improved by the art and industry of the clergy, who alone had art and industry. That many monasteries did in process of time become the seats of sloth, ignorance, and debauchery, I deny not. Candour, however, forbids us to ascribe accidental

* Fragments of Scottish History—Desultory Reflections on the State of Ancient Scotland, by Sir John Graham Dalyell, Bart., 4to. Edin. 1798, p. 29.

and unforeseen evils to the virtuous founder. 'It was devotion,' says John Major, 'that produced opulence, but the lewd daughter strangled her parent.' "•

In the foregoing traditionary narrative of the proceedings of the adherents of John Knox at Perth, the leaders will be easily recognised by a reference to the history of the time. The Earl of Argyll was Archibald fifth Earl, who had been educated under the superintendence of Mr John Douglas, the first Titular or Tulchan Archbishop of St Andrews, and who is prominent as one of the Chiefs of the so called Congregation; the Prior of St Andrews was Lord James Stuart, afterwards the Regent Moray; and Erskine of Dun became a "Superintendent" of the new system. The assertion that the Carthusians of Perth were on improper terms of familiarity with certain nuns of the "Fair City" is not supported by any evidence, and must be received as a mere popular flourish imparting a peculiar bias to the story.

* Annals of Scotland, by Sir David Dalrymple, Lord Hailes, 4to. Edin. 1776, vol. i. p. 98, 99.

Seal of the City of Perth prior to the Reformation.





The Reformation.

EXTRACTS FROM THE KIRK-SESSION REGISTER OF PERTH.*

[THE proceedings of the successors of the ancient ecclesiastics in the "Fair City" are laid before the reader from a transcript in the handwriting of Mr James Scott, one of the Established Presbyterian Ministers of Perth from 1762 to his resignation, on account of old age and infirmity, in 1806. Mr Scott's transcript commences in the year 1577, previous to which no records are in existence, and he enumerates ten MS. volumes from May 1577 to the 1st of April 1709; but long before this last mentioned year the records cease to contain any interesting particulars.]

The Kirk-Session or "Assembly" of Perth was instituted immediately after the Reformation, when Mr John Row succeeded the Vicar as Presbyterian Minister, and Mr Scott seems to have occupied much of his leisure time in transcribing the records of this newly-invented judicatory, in addition to his abstracts of the existing Charters of the Religious Houses. Mr Scott's collection of those local records are now in the Library of the Faculty of Advocates at Edinburgh.]



SPECIMEN OF MORALITY.—*May 1577.* Compared Marion Whyte, and confesses her fornication with John Swinton, and the second fault submits

* *The Kirk-Session of Perth, on the 19th of August and 1st of September 1577:—Mr Row, Minister.—Elders—William Fleming, Oliver Peebles, John Anderson, Robert Anderson, William Anderson, Alexander Anderson, John Davidson, Patrick Inglis, George Johnston,† James Hepburn, Robert Chapman, Alexander Gibson.*

Mr Scott observes of this "apostolical" list of the kirk-functionaries, in which the gentlemen of the name of Anderson are conspicuous, that "it is imperfect, because none of the Deacons' names are now to be found in the Register."

† This George Johnston is the person mentioned in the preceding narrative of the demolition of the monasteries.

herself to the discipline of the Kirk and civil punishment. Compeared John Swinton, alleged father of the bairn, who being demanded gif he has had carnal deall with Marion Whyte within nine months bygone or thereby; he denied that he had any carnal deall with her within thir two years bygone; and therefore the said Marion referred it to his conscience to swear gif he had carnal deall with her or no by the space foresaid. Therefore the Assembly (Kirk-Session) assigns to the said John Monday next to give forth his aith (oath) thereupon, either negative or affirmative, and to advise with his aith until the said day.* *May 27*—Compeared John Swinton, and refused to give his aith upon the contents of the last act, and therefore the Assembly ordains the Kirk to proceed against him with admonitions, that under the pain of the censures of the Kirk he may depone his aith, either negative or affirmative, conform to the last act, concerning the fornication confessed by Marion Whyte to have been committed with him, to whom she is with bairn, as she has confessed, and alleges presently. *June 20*—Compeared John Swinton, and confesses his fornication with Marion Whyte, and that it is the second fault; and he submits himself to the discipline of the Kirk, and the civil punishment, conform to the Order. He is ordained to compear before the Assembly on Monday the 7th of July, that he may receive his directions for his second fault of fornication.†

* The meaning of this quaintly expressed clause is, that John Swinton, during the interval, was to reflect upon the oath he was to swear on that day.

† In 1560, after John Knox had been appointed Minister of Edinburgh under the new system, an act was passed by a so called Parliament or Convention of the Privy Council, enjoining such offenders as John Swinton and Marion Whyte to be *carted* through the towns in which they resided, and banished till they gave evidence of their repentance, and their contrition was received by the Kirk-Session. The wonderful John Knox, who tyrannized in the most severe manner over the citizens of Edinburgh, was in danger of rough treatment for his domineering mode of enforcing discipline. A member of one of the Incorporated Trades of Edinburgh, who had been guilty of "light life and conversaiton" with a paramour, was ordered to be "carted" through the city; but the populace, excited by the Crafts or Trades, turned out to rescue him, demolished the cart, and forcibly carried off the delinquent amid loud denunciations against John Knox. On another occasion, which happened soon afterwards, a mob proceeded to Knox's residence and threatened to murder him. As Queen Mary, after her return to Scotland in

Ante-Nuptial Intercourse.—*June 20, 1577.* Whilk day compeared Allan Dickenson, and confesses fornication and carnal deall with Margaret Blair, and they are both ordained to make their repentance before their marriage, or to pay forty shillings (Scots, or 3s. 4d. sterling) to the poor, conform to the Act made thereanent.

A Conditional Exemption.—*June 20, 1577.* Compeared William Steinston, and confessed his fornication with Jean Black, and submits himself to the discipline of the Kirk. And because Patrick Lamb has promised and become cautioner for the young man William Steinston, that he shall perform the civil punishment, beginning on Monday come eight days, except the standing in the irons, for whilk (exemption) the said Patrick has instantly paid L.4 (Scots, or 6s. 8d. sterling) to the poor, given to James Sym, therefore it is permitted to the said William, by the Assembly, to accomplish his marriage on Sunday next with Margaret Lamb.

1561, would not acknowledge the legality of the Parliament, or Convention of 1560, which overthrew the ancient Hierarchy, the special Act against the class of delinquents above mentioned was not enforced by Magistrates; but in the Parliament held in 1564 it was enacted that "scandalous livers should be punished first by prison, and then to be publicly shown to the people with ignominy." In the first Parliament of James VI., or the Regent Moray's Parliament, held in 1567, it was enacted that such delinquents, both male and female, were to be fined—for the first offence the sum of L.40 Scots, or L.3:6:8 sterling, in default of which "he and she shall be imprisoned for the space of eight days, their food to be bread and small drink, and thereafter to be presented to the mercat-place of the town or parish bareheaded, and there stand fast that they may not remove for the space of two hours." For the second offence delinquents were to pay a fine of one hundred merks (L.5:11:1 sterling), or their imprisonment to be two weeks, and to be brought to the market-place, where their heads were to be shaven. Those convicted a third time were to pay L.100 Scots (L.8:6:8 sterling), or their imprisonment to be trebled, and before they were set at liberty to be taken to the deepest and dirtiest pool, in which they were to be thrice ducked, and then banished from the town or parish for life. For every subsequent offence this third penalty was to be inflicted. The judges were to be the Provost and Bailies of the town, the Justice-General and his Deputes, or such persons who had the Sovereign's commission; and the fines were to be kept in a "close box," to be converted to "pious uses in those parts where the crime is committed." Mr Scott observes—"This Act was long rigorously executed in the town and parish of Perth, which appears from the (Kirk) Session Records, for it was the (Kirk) Session, and not the civil judges, who exacted the pecunial fines from the convicted offenders, or, when the offenders were not able to pay, enjoined the Magistrates to inflict the corporal punishment."

Corpus Christi Play.—August 13, 1577.* Whilk day compeared Thomas Thorshails, who desired to have his bairn baptized, and confessed himself to be one of the number of those Corpus Christi players who bore the anstenze† of the same; for the whilk slander he offers and submits himself to the discipline of the Kirk, with my Lord's‡ advice, and promises in time coming never to meddle with such things again, under the pain of the censures of the Kirk. In respect whereof, and of his obedience to the Kirk, the Elders presently convened, viz. John Anderson, Oliver Peebles, John Davidson, William Anderson, Patrick Inglis, Alexander Anderson, William Fleming, think it expedient that the said Thomas Thorshail's bairn be baptized, because he has offered himself obedient to the Kirk. §

The Laird of Balhousie admonished.—August 19, 1557. The Kirk (Session) desires John Peebles to speak to the Laird of Balhousie, desiring him to use the exercise of religion, and to report his answer on Thursday next. ||

A courageous Black Friar.—August 19, 1557. Whilk day

* The Festival of Corpus Christi, instituted by Pope Urban IV. about 1264, is celebrated on the 14th of June, or the second Thursday after Whitsunday. The tenacity with which the citizens of Perth adhered to the indulgence of their former sports on that and other days gave their "Honours," the Kirk-Session, an infinitude of trouble. On this occasion, on the 1st of July 1577, they issued a fulmination against those who had observed Corpus Christi Play on Thursday the 6th of June last in defiance of the Minister's prohibition from the pulpit, and cited a number of persons before them.

† Sic in M.S., probably *ansenyne* or *enseinye*, a banner.

‡ William Lord Ruthven, afterwards first Earl of Gowrie, in 1577 Provost of Perth, son of Patrick third Lord.

§ On the 1st of September a certain Robert Paul made a similar submission preliminary to the baptism of his "bairn." On the following day David Dickson, Henry Pyper, William Glass, David Murray, and four others, all Corpus Christi players, expressed their penitence for observing the same. On the 16th, three confessed the "slander;" and on the 16th of December four confessed, and promised "never to meddle with such things again." Respecting the Festival of Corpus Christi, for the pastimes indulged on which day the local tyrants of Perth chose to be inquisitorial, see the Poetical Legends, Observations, and Notes, in Brand's Popular Antiquities (KNOTH'S MISCELLANIES), revised by Sir Henry Ellis, K.H., Principal Librarian of the British Museum, 12mo. London 1841, vol. i. p. 163, 164, 165.

|| This Laird of Balhousie's name was Eviot, whose ancestors are often mentioned as benefactors to the Dominican Monastery. It is probable that the Laird refused to conform to the new religion. See p. 21, 22 of the present volume.

compeared John Gray, and being demanded if he raised any letters* upon his pension owing to him as one sometime of the Brotherhood of the Black Friars of this town; answered, that howbeit he raised letters thereupon, yet in hope of good payment in time coming, as the rest gets, he discharges the said letters and these executions thereupon, and all that may pass thereupon, of the date of the second day of February, in the year of God 1577.

An Elder censured.—September 16, 1557. The Elders think it meet that Patrick Inglis remove out of the Assembly, while he be accused of sundry things to be laid to his charge.

A Marriage-Contract made and broken.—November 25, 1577. Compeared Catherine Culbert and Thomas Paterson, and promise to accomplish the marriage contracted betwixt them, for the accomplishment of which John Wood and Thomas Swinton were cautioners. December 9, 1577—Because that Thomas Paterson and Catherine Culbert contracted marriage, and the said Catherine will not accomplish the same, therefore (the Kirk-Session) desires the Bailies to poind John Wood, who was cautioner for the said Catherine, for L.10 (Scots, or 16s. 8d. sterling) according to the Act.

Delinquency.—December 9, 1577. Whilk day it is ordained that Helen Ramsay shall be punished as an fornicatrix, and William Balvaird to be put in the Tolbooth, until he pay thirteen shillings four pennies (Scots, or 1s. 1d. sterling), for not exhibiting the said Helen conform to the act.

Contumacy.—December 16, 1577. Whilk day the Assembly ordains William Smith and Laurence Stenis to be put in the Tolbooth, until they find caution to compear before the Assembly.

St Obert's Play.†—December 16, 1577. Whilk day the Elders ordain the Act made against Superstition, *Anno Domini* 1574, November 27, to be published on Sunday next; and also all those persons that were playing St Obert's Play the the 10th of this month to be warned to the Assembly this day eight days. December 20, 1577—Whilk day compeared

* Compulsory payment by letters of horning is meant.

† St Obert, or St Aubert, was the Tutelary Saint of the Perth Bakers, who observed his day on the 10th of December.

John Fyvie, and confesses that upon the 10th of December instant, which was called St Obert's Even, he passed through the town striking the drum, which was one of the common drums of the town, accompanied with certain others, such as John Macbeth, William Jack, riding upon an horse going in men's shoes, and says the said John Macbeth delivered to him the drum. For the whilk premisses he submits himself to the discipline of the Kirk, and also promises never to strike ane drum again without the consent of ane magistrate, under such pains as shall be laid to his charge. *January 1577-8*—Compeared William Jack, and being demanded if he was in St Obert's Play, he confessed that notwithstanding he was one of Corpus Christi players, for which he submitted himself to the discipline of the Kirk, promising that he would never do the like, yet he confesses that he was in St Obert's Play.

A Band of Recusants.—*March 31, 1578.* Ordains William Henderson and Janet White to be warded, because they being warned, compear not before the Assembly, and siclike William Jack. *May 19*—Ordains Dionysius Conqueror (Bailie) to put Christian Maxwell into ward, because she, being lawfully warned to this day, compeared not before the Assembly. The whilk day ordained Margaret Thomson in John Towshank's (house) to be put in ward until she compear before the Assembly. *June 2*—Whilk day ordains the Bailies to put Patrick Herring into the Tolbooth, or then cause him to appear before the Assembly, because he has been sundry times afore admonished, and compeared not. *June 9*—Whilk day Mr Patrick Whitelaw (Bailie) is ordained to ward Patrick Herring and Alexander Chalmers, or to cause them compear before the Assembly this day eight days.—*July 27.* Ordains the Bailies to put John Ramerkin and Malcolm Denis into the Tolbooth, because they, being lawfully warned, compeared not. *August 4*—The Assembly ordains the Bailies to put Janet Wright, Alexander Adam, Agnes Johnston, and Donald Monteith into the Tolbooth, ay and until they compear, or find caution to compear, before the Assembly, because they, being lawfully summoned, compeared not.

A Troublesome Offender.—*April 21, 1578.* The Assembly ordains the Bailies to put Thomas Monipenny, younger, in

ward, because he, ~~being~~ warned to compear before the Assembly, compeared not. *May 5* — Whilk day compears Thomas Monipenny, younger, and being accused of carnal deall with Margaret Swan, denies the same; therefore the Assembly ordains the said Thomas this day eight days to depone, (and in the mean time to consult) his conscience thereanent, in respect (that) the woman has deponed on her conscience accusing him of the same. *May 13* — The whilk day Thomas Monipenny, younger, is appointed to be admonished on Thursday next by the minister in (the) pulpit, to give and depone his (oath and) conscience whether he had carnal deall with Margaret Swan or not, under the pain of the censures of the Kirk. In the mean time John Wood is appointed to travel with him, and to record his answers betwixt this and the next Thursday. *May 19* — The Assembly ordains the admonitions to be made against Thomas Monipenny, younger, to give forth his aith if he has had carnal deall with Isabell (Margaret) Swan or not, because she has confessed the same before the Assembly. *May 27* — Whilk day compeared Thomas Monipenny, younger, and confesses his fornication with Isabell (Margaret) Swan, and submits himself to the discipline of the Kirk, and the civil punishment, and (this) the second fault thereof. *June 9* — Whilk day John Anderson, Elder, and Andrew Johnston, were appointed speak (to) Thomas Monipenny, Bailie,* for his son, to desire him to fulfil the injunctions of the Kirk. *July 27* — Ordains Thomas Monipenny, younger, to come this day eight days, and ask God and the congregation forgiveness for his fornication, and chiefly for his contempt and slander offered to the Kirk in the place of repentance.†

An Amorous Compromise. — *April 21, 1578.* Whilk day compeared William Henderson,‡ and promises to bring a sufficient declarator from the Commissary betwixt the date

* This gentleman, whose son's gallantries with Margaret or Isabel Swan occupied the attention of the Kirk-Session upwards of two months, was one of the ancient family of Monypenny of Pitmillicy, near St Andrews, in Fife.

† It appears from this, that young Monypenny, though he was induced to mount the "stool of repentance," made a mockery of the whole affair.

‡ The William Henderson mentioned under date March 31 of the above year, and ordered to be imprisoned with his inamorata Janet White, for recusancy or disobedience to the Kirk-Session.

hereof and midsummer next, proving that Bessy Black, who claims him to be her husband, is not his wife. Of the which premises, if the said William fail, as he has promised betwixt this and the date aforesaid, he then shall submit himself as an adulterer, convicted of adultery, to the discipline of the Kirk, for the performance whereof he shall find caution to Dionysius Conqueror, Bailie, under the pain of L.40 (Scots, or L.3:6:8 sterling) to the poor; which caution being found,* the Assembly ordains his child to be baptized which Janet Wright has borne to him.

An Extraordinary Certificate of Moral Character.—May 19, 1578. The whilk day the Assembly have ordained Janet Cook hereafter to be received to the Communion, because it is so long since she was with bairn that it is out of memory. (!)

A Lothario cited.—June 16, 1578. Whilk day Mr John Row, Minister of Perth, in presence of the Elders of the weekly Assembly of Perth, charged and admonished Patrick Herring, fornicator with Christian Maxwell, to compear to his public repentance according to the Order, under the pain of excommunication.

A Fair Fugitive from Discipline excommunicated.—June 29, 1578. The whilk day Mr John Row, Minister of Perth, denounced Elspeth Carnock in presence of the whole people, for abstracting herself from her repentance.

Marriage Regulations.—July 7, 1578. The whilk day the Minister and Elders, perceiving that those who compear before the Assembly to give up their banns to go forward to marriage are almost altogether ignorant, and misknow the causes why they should marry,† therefore the Assembly ordain all such (persons) first to compear before the Reader for the time, whoever he (may) be, to the effect (that) he may instruct them in the true causes of marriage before they come in before the Assembly.

Scolding.—August 4, 1578. The Assembly ordains the

* Mr Henderson produced John Peebles, then one of the principal citizens of Perth, as his security.

† It is remarkable that this admission of the ignorance of the people of the social and domestic relationships of life is acknowledged nearly *twenty years after the Reformation*.

Bailies to puind Catherine Yester and Malcolm Denis, every one of them, for half ane merk (sixpence sterling) to the poor, for their flyting. (Also) ordains John Tod to pay half ane merk to the poor, and to stand in the irons two hours, and to ask Margaret forgiveness for slandering, which slander he confessed.

Absence from the Sermon. — *September 22, 1578.* The Assembly ordains the Bailies to puind Henry Arnot, Alexander Bain, Gabriel Stalker, every one of them for six shillings (Scots) to the poor, because according to their own confession they were from the sermon on Sunday was eight days.

A Penitent. — *October 6, 1578.* Compeared Christian Buchan, and confesses her adultery with one umquhill James Gray. She submits herself to the discipline of the Kirk, and is ordained to compear upon Wednesday next before the Exercise, there to receive her injunctions.

A Suspected Papist. — *November 10, 1578.* Whilk day Mr John Denite being called before the Assembly, was accused because he remained privately in his house without all exercise of religion, and (yet) that he has subscribed the Articles of Religion; therefore the Assembly have commanded the Articles to be delivered to the said Mr John, and he to give his answer thereupon betwixt this day and this day fifteen days.

Votaries of St Obert. — *December 15, 1578.* Gilbert Robertson, William Martin, Thomas Rollock,* Thomas Jack,† John Macbeth, confess that they have transgressed an act made in the Assembly of Ministers and Elders, and ratified by the Provost and Bailies, in that superstitiously they passed about the town on St Obert's Even disguised, in piping and dancing, and torches bearing, for the whilk they submit themselves to the discipline of the Kirk.

A Husband at fault. — *February 26, 1578-9.* Whilk day Mr John Row, Minister at Perth, admonished Thomas Dundee, publicly from the pulpit, to adhere unto his wife, under the pain of excommunication, and that for the first time.

* Evidently the son of William Rollo, or Rollock, baker in Perth, who resigned to the Black Friars, on the 30th of August 1530, his shop in the North Street. See p. 27, 28, of the present volume.

† William Jack, probably a brother of this Thomas Jack, had been an offender in the preceding year.

A Punishment for Defamation.—May 1, 1579. Whilk day compeared John Elder, and submitted himself to the minister of Perth, Mr John Row, and Elders of the said burgh, in the decision of the cause and action betwixt him and Agnes Grant, her daughter, and her goodman, for his untruth. And the circumstances of the cause being considered, the said Minister and Elders ordain John to ask the said Agnes Grant forgiveness for the offence done to her, and to pay ane half merk to the poor.

An Excommunicated Penitent.—May 18, 1579. Compeared Margaret Ruthven, who is excommunicate, declaring her repentance as well of her adultery as of her obstinacy, for the whilk she has submitted herself with reverence and humility to the discipline of the Kirk, desiring to be received to her repentance. The Assembly think expedient she be received according to their Order.

A "Fair Maid" in trouble.—May 25, 1579. The Assembly ordains the Bailies to put Helen ——— upon the Cross-head for the space of an hour, and to pay half ane merk to the poor before she come down, and that for the slandering of Thomas Brown. (Also) Thomas Malcolm is convicted before the Assembly of having called Thomas Brown *loon* (and) *carl*, for the which the Assembly ordain him to be put in the Tolbooth, there to remain two hours, and to pay six shillings eight pennies (Scots, or sixpence sterling) to the poor.

An Unruly Wife.—August 3, 1579. The Assembly desires the Bailies to take order with Christian Williamson for the shedding of John Anderson her husband's blood, and to take order that she shall compear before the Kirk.

A Confession of Frailty.—August 10, 1579. Compeared Catherine Kinloch, and confessed her fornication with Robert Stewart, son of the Laird of Minto.

The Act against Scolding.—August 10, 1519. The Assembly ordains that such as are convicted of flyting, and will not willingly pass to the Cross-head, according to the Act passed of before, shall pay half ane merk money to be given to the poor for (exemption from) the Cross-head, besides that other half merk mentioned in the Act of before.

A Family Quarrel.—August 20, 1579. Ordains Isabell

Kinloch, wife to John Peat, to adhere to the said John Peat her husband, or else to compear before the Assembly this day fifteen days, and show ane reasonable cause why she should not adhere.

Disturbers of Public Worship punished. — September 8, 1579. John Landray submits himself to the discipline of the Kirk for the perturbations of the kirk (during) the time of the ministration of the sacrament of baptism; for the which cause the Assembly ordain him to pass about the Cross in linen clothes, barefooted and bareheaded, on Thursday and Sunday next, and thereafter to come to the public place of repentance the time of the sermon, there publicly to confess his offence; also to pay ane half merk money to the poor instantly, or else to pass to ward ay and until it be paid. And siclike for the same cause ordain the next three, to wit, James Cuthbert, James Carr, and Thomas Rutherford, to come to the stool of repentance on Thursday next, there to make their public repentance.

A Criminal Insinuation. — September 22, 1579. Compeared Peter Whitehill, and confesses that upon Wednesday the 1st of August last, at twelve hours in the day, he came to Andrew Brownhill's house, and said *God speed*, and *God be here*, where he found two of Andrew Brownhill's women, and there in presence of them asked the work of his fault again for God's sake, and speired at the servants where the goodwife was. Therefore the said Andrew Brownhill is ordained against this day eight days to use diligence to use false probation, and likewise the said Peter to bring his witnesses to prove his libel casten in.*

Sunday Discipline. — November 9, 1579. Whilk day the Assembly ordains Alexander Finlayson to compear on Sunday next in sackcloth from the first bell to the hindmost; † and

* According to Mr Scott, this Peter Whitehill went to Andrew Brownhill's house, and in the presence of two female domestics insinuated that he had criminal intercourse with their mistress. Mr Scott observes that several instances of this practice occur in the Records, and that the charge was discovered to be false and malicious.

† This means that Alexander Finlayson was to appear publicly in his penitential costume of sackcloth, from the ringing of the first bell for preaching till the last bell announced that the said preaching was concluded.

ordains John Mitchel and John Wenton, Elders, to stand with him at the north kirk door, with their staffs in their hands, and to convoy him to and from the stool of repentance.

A Security forfeited.—December 13, 1519. Ordains the officer to puind Andrew Mercer for non-compearance of his nurse, and that because he was cautioner for her to present her before the Assembly.*

A Delinquent and his Cautioner.—March 4, 1579–80. Compeared Oliver Davidson, and confessed his fornication with Janet M'Oray, and submits himself to the discipline of the Kirk therefor. And because the said Oliver is in the King's Majesty's service, so that presently he may not satisfy the Kirk for his said offence, the Assembly has given unto him, to perform the same, the whole time betwixt this and Lammas; and the said Oliver has found Lawrence Davidson cautioner for the performance of the same betwixt this and the date foresaid, under the penalty of L.10 (Scots) to the poor.

A Delicate Commission.—April 25, 1580. Ordains James Lyon and John Ronaldson to pass to the Justice-Clerk,† and see if he confesses Catherine Kinloch's bairn to be his.

The Dragon Hole.‡—May 2, 1580. Ordains an Act to be made by the Minister concerning the discharging of all passing to the Dragon Hole superstitiously, and the same to be published on Thursday next out of the pulpit, and thereafter to be given to the Bailies, and proclaimed at the market-cross.

The "Act" anent the Dragon Hole.—Because the Assembly

* Mr Scott remarks on this case—"It was usual for those who hired a fornicatrix to nurse a child, to bind to the Kirk-Session for her compearance after the child was nursed."

† The Lord Justice-Clerk implicated in this alleged amour was Sir Lewis Bellensten of Auchnoull. Catherine Kinloch seems to have been a damsel of easy virtue. See the date, August 10, 1579, and in that case, as in this, her paramour was a person of rank.

‡ The Dragon Hole is a very inaccessible cave in the precipitous front of Kinnoull Hill, of dimensions sufficient to contain from twelve to twenty persons. It doubtless derived its name from some traditionary story of a dragon, or fabulous monster, which was the terror of the neighbourhood. Adamson, in his Metrical History of Perth, mentions a certain James Keddie who found in the Dragon's Hole a stone which had the power of rendering its possessor invisible; but Mr Keddie lost the stone, and though he often searched for it, the said stone was ever afterwards invisible to him.

of Minister and Elders understand that the resort to the Dragon Hole as well by young men as women, with their piping and drums striking before them through this town, has caused no small slander to the congregation, not without suspicion of filthiness* following thereupon, the said Assembly, for avoiding thereof in times coming, have, with consent of the Magistrates of this town, statute and ordained that no person, neither man nor woman of this congregation,† resort or repair to the said Dragon Hole, as they have done in times bygone, namely, in the month of May, nor shall pass through the town with piping and striking of drums, as heretofore they have done, under the penalty of twenty shillings (Scots, or 1s. 8d. sterling) to the poor, to every person, as well man as woman, that shall be found guilty; also, that they shall make their public repentance upon an Sabbath-day, in presence of the people. This ordinance to be published at the market-cross upon Saturday next, as also by the minister in the pulpit on Thursday and Sunday next to come, that none hereafter pretend ignorance.‡

A Dragon Hole Offender.—May 9, 1580. Ordains the Act made against the Dragon Hole to strike upon David Rollock, because he is convicted of breaking the same. He

* Improper intercourse, or "sweet-hearting," between the young men and women who resorted to that romantic locality.

† In Perth, such was the effect of the Reformation, that St John's Church accommodated all the citizens.

‡ This "Act," which is no very favourable specimen of the literary abilities of Mr John Row, Minister of Perth, intimates the determination of the local tyrants of the Perth Kirk-Session, aided by their friends the Magistrates, to interfere with the harmless recreations of the people. We have already seen their crusading against the observance of Corpus Christi Day and St Obert's Day. Nothing would do with them but continual preaching. Before the Reformation the Scottish people were noted for their partiality to shows, pastimes, songs, and minstrel music, but Presbyterianism soon waged war with every harmless frolic and indulgence of former times. In the Parliament held on the 20th of October 1579, an Act was passed prohibiting "travelling bands, minstrels, songsters, and tellers of tales," who had long been the delight of the people, to itinerate throughout the country, or to be anywhere seen, under the penalty of severe punishment as vagabonds. Lords of Parliament, and the Town-Councils of the principal burghs only, were allowed to retain bards in their service. It is hardly necessary to add that in the Highlands this enactment of the Parliament was unknown, or was treated with universal contempt.

has found his deacon, George M'Gregor, cautioner for the satisfaction of the said act, under the pain of L.10 (Scots) to the poor.

A Bachelor's Housekeeper denounced.—August 15, 1580. Compeared William Young, and confessed that Violet Paterson had been in society with him since the last act made thereanent, and that the said Violet made his meat ready, and ate with him. In respect whereof the Assembly have ordained him to make his public repentance in the kirk, which he promised to do;* and farther, has found James Doning and David Williamson cautioners, under the pain of L.20 (Scots, or L.1 : 13 : 4 sterling) every one of them, to the poor, that he shall perform the same, and abstain for all time coming from all kind of company and society of the said Violet Paterson publicly and privately. The Assembly have (also) ordained Violet Paterson to be banished the town, simply because of her open blasphemy of the Minister and Elders, her stubborn inobedience unto the Kirk, and her slanderous life and conversation in many ways, as is proven before the Ministers and Elders by famous witnesses.†

Public Repentance to be enforced.—August 22, 1580. Because that persons who have been put in the Tolbooth oftentimes come not immediately thereafter to their repentance, but absent themselves, wherethrough great confusion follows, and also great molestation to the Magistrate in bringing them to their repentance, therefore the Assembly, with advice of

* William Young had no other alternative. The local tyrants insisted on the most unconditional submission.

† Although scandal had not spared William Young and Violet Paterson, it appears from this case that the said William Young was unmarried, and that Violet was his housekeeper. Her indignation was naturally excited by the accusation of improper intercourse with her master, and hence her "stubborn inobedience unto the Kirk," and her "open blasphemy of the Ministers and Elders." Mr Scott *innocently* remarks—"The word *blasphemy* was often used long ago for any abusive language, especially when spoken to superiors.' This worthy gentleman ought to have been the compiler of an English Dictionary, or a new translation of the Old and New Testaments. The charge of "open blasphemy of the Minister and Elders" alleged against a female whose virtuous character was assailed by those men is ridiculous, and proves the utter prostration of the people in various towns to the Presbyterian inquisition.

the Bailies, statutes and ordains, for avoiding of this inconvenience, that caution (security) be taken of such persons as enter the Tolbooth, before they come out, to come the next preaching day (after they are liberated) to the stool of repentance, under the pain of forty shillings (Scots, or 3s. 4d. sterling) to the poor, and to continue (the several days of their public repentance) without intermission.

Children in the Kirk.—October 24, 1580. Ordains to admonish in the pulpit all mothers to take heed to their bairns that they perturb not the kirk.

A Witch.—December 20, 1580. The Assembly ordains the witch to be banished the town.

The duty of a Perth Beadle.—February 1, 1580–1. The Assembly ordains that John Ronaldson shall convoy all such as are to be imprisoned to the prison house, and to return again at time convenient, and receive them out of prison; that he shall also receive from them the duty (fine) for the poor, and give it to James Sim to distribute the same as effeirs; also to convoy them to the Cross-head. *Same date*—The Assembly ordains that no vicious persons that pass to the Cross-head, or stool of repentance, shall cover their faces or head, with certification if they do, it shall serve for nothing unto them (as a part of their repentance) so often as they do it.

Violation of a Fast Day.—March 8, 1580–1. The Assembly ordains Constantine Meliss and Isabel Elder to make their public repentance upon Sunday next, and farther to pay L.4 (Scots, or 6s. 8d. sterling) to the poor, because in time of our public humiliation and fasting they passed up at once to their feasting and solemnizing of marriage, contrary to all good order.

A Doubtful Case.—March 27, 1581. Compeared Janet Basket, and confessed her fornication with Thomas Murray, and submits herself to the discipline of the Kirk therefor; but because it supposed that the said Thomas made promise of marriage to the said Janet, therefore the Elders have appointed to her and her father to bring the said Thomas' mind in this matter in writ, and to present the same to the Assembly, failing whereof the said Janet shall enter to her repentance for fornication *pro secundo*.

A Matrimonial Admonition.—*March 27, 1581.* The Assembly ordains to warn Alexander Carnegie against this day fourteen days, to see whether he is content to adhere to his wife or not, and to purge himself of the vehement slander that is arising of him with his servitrix Catherine Lamb.

Marriage.—*April 10, 1581.* Ordains all purgations of persons to be married to come before the Assembly, that the persons may be there purged.*

Reconciling a Quarrel.—*April 10, 1581.* The Assembly ordains the Minister, † James Hepburn, William Fleming, George Johnstone, and John Peebles, to travel for reconciliation betwixt James Drummond, and John Smith with his colleagues.

A Rioter.—*April 10, 1581.* Ordains the Bailies to put Robert Tod into the Tolbooth, (and keep him there), until he tells the names of his companions.

The Dragon Hole again.—*April 10, 1581.* The whole Assembly of the Elders, with advice of the Magistrates, ratify the former act concerning the Dragon Hole.

Two Offenders to be tried.—*April 17, 1581.* The Assembly ordains the two persons that are in the Cross-head to be detained in close ward this night, and to suffer an assize to-morrow, which William Anderson, Bailie, promised to do.

The Sabbath.—*April 17, 1581.* Ordains the Bailies to put the former acts of Sabbath to execution. In special, they desire the Bailies to close the yetts (gates) of the town. The Assembly ordain that no pastime shall be used through the town upon the Sabbath, in special in the time of May. ‡

Ante-Nuptial Regulations.—*May 8, 1581.* The Assembly concludes that all conjunction before contract with the Kirk is simple fornication. It is ordained that whosoever join

* Mr Scott observes on this injunction—"That is, might clear themselves of previous carnal dealing, or of having given promise of marriage to any other person."

† This minister of Perth was Mr Patrick Galloway, a very eminent man, who figures conspicuously during the reign of James VI. John Row, the first "Reformed" minister of Perth, died on the 16th of October 1580, and Galloway was elected his successor in November. On the 14th of that month occurs the following notice:—"The Elders think that ane letter be directed to Mr Patrick Galloway, to be here on Wednesday week to come."

‡ This is evidently a special allusion to the Dragon Hole affair.

carnally together betwixt the giving up of the bairns before the Kirk, and accomplishment of their marriage, shall pay forty shillings (Scots, or 3s. 4d. sterling) to the poor, and shall make their public humiliation before the pulpit upon the Sunday before marriage.*

Sunday Trading.—May 15, 1581. The Assembly ordain the Sabbath-day to be kept from all kind of buying and selling, and no dispensation to be used (granted); and this act in special to be directed against baxters (bakers), brewsters, wine-sellers, bun-bearers, fleshers, and merchants, with all other crafts and occupations.

No Women to have Seats in the Parish Church.—June 5, 1581. The Assembly ordains the Minister out of the pulpit to discharge all women's stools in the kirk, betwixt this and this day eight days, otherwise (if not removed by the women) the same to be done by others whom the (Kirk) Session shall appoint in case of disobedience.

Two depraved Delinquents.—June 12, 1581. Seeing that James Hall and Janet Horne are by their own confession found culpable of incest, therefore the Elders desire the Bailies to give them an inquest.†

A Suspicious Dame.—June 12, 1581. The Elders find that by Christian Livingstone's own confession she is ane deceiver of the people, therefore they present her to the Bailies' hands to suffer an inquest.‡

An Elder assaulted.—July 3, 1581. Because John Christison and William Watson, two of the mutineers that put violent hands on Henry Adamson,§ one of the Elders, being warned this day before the Assembly, personally apprehended,

* At that time the interval of forty days elapsed between the contract and the celebration of the marriage.

† To try them for the crime.

‡ Christian Livingstone was evidently a *spæwife* or fortune-teller.

§ Henry Adamson, who is prominently noticed in the sequel, is supposed to have been a son of Patrick Adamson, who was chosen a Magistrate or Bailie of the "Fair City" in October 1541, and who died at Perth in October 1570. This Henry Adamson was a brother of the celebrated and learned Patrick Adamson, Titular Archbishop of St Andrews, and uncle of Henry Adamson, the Metrical Historian of Perth. It will be subsequently seen that he was killed at Perth on Good-Friday 1598, when he filled the office of Dean of Guild, by Thomas Peebles.

and compeared not, therefore the Assembly ordains the Bailies to put them in ward for their disobedience, there to remain until the Assembly send for them. *July 6*—Anent the violent putting on of hands of Henry Adamson, one of the Elders, after trial taken thereanent, and depositions of famous witnesses, it is found that John Mathie and John Christison were the two principal committers of the fault; therefore the Assembly ordains them to compear upon ane Sunday in the place of repentance in linen clothes, and therefrom to come down and ask the said Henry forgiveness, and also the congregation. Also, each of them to pay forty shillings money to the poor before they enter to the said place. For performance whereof the Assembly ordains the Bailies to put them in ward ay and until they perform the same, under the pain of excommunication. Gilbert Billy being accused if he was one of them that struck Henry Adamson, or if he was the occasion of his hurting (him), deponed that as he shall answer to God he was not one of them that hurt him, nor put hands on him, nor yet was the occasion thereof, but declares it was John Mathie. William Watson likewise being accused of the foresaid crime, deponed that he (wished he) may never come to God's kingdom if he put hands on Henry Adamson, or if it was in his mind at that present to do any skaith to him, but of sudden purpose he happened to be new come into the town, and seeing them at combat, and a sword lying upon the causeway, he took up the sword, but struck at no man therewith; and he affirmed that he saw John Christison put hands on the said Henry, and saw John Mathie strike him.

Imprisonment for Disobedience to Citation.—*July 15, 1581.* Forasmeikle as sundry are charged by the officer of the Assembly, and disobey, to the great hindrance of the discipline, therefore it is concluded by the Minister and hail Assembly that all persons, being warned, and not compearing, shall be put in ward, there to remain ay and until they pay such penalty as the Assembly shall think expedient; and in case it be not an ordinary day of the Assembly, it shall be lawful to the Minister to send for three or four of the Elders, as he thinks expedient, to prescribe the sum of the penalty, according to the fault, for deliverance of the person that is in ward.

A Concealer of Female Frailty.—*July 24, 1581.* Ordains the Bailies to puind William Ross, tailor, or to put him in ward, ay and until he pay thirteen shillings four pennies (Scots, or 1s. 1d. sterling) to the poor, conform to the Act concerning them that receive fornicators into their houses, and do not show the Kirk thereof, because Margaret Giffan, his servant, confesses that she came with bairn to his house at Fasten's Even, and remained there until Whitsunday last.

Nursing a Respite to Frailty.—*July 31, 1581.* Compeared Janet Anderson, and confessed her fornication with Andrew Auld, maltman, and therefor submits herself to the discipline of the Kirk; she confessed that she was delivered in the first week of Lentron, and that the bairn departed, through fault, without baptism. And because the said Janet is nutrix to Andrew Bowie, who may not guidly spare her to do her repentance at the present for trusall (losing) of his bairn, he is become acted as cautioner to enter her to the Kirk and discipline thereof whensoever the Assembly charges him thereto, under the pain of L.10 (Scots, or 16s. 8d. sterling) to the poor, and she to relieve him.

Scolding.—*July 31, 1581.* It is ordained by the haill Assembly that every flyter convicted of flyting shall pay ane half merk to the poor, shall stand upon the Cross-head and make their public repentance for satisfaction of the Kirk and party. Ordains James Walker, flesher, to pay six shillings eight pennies (Scots, or sixpence sterling) to the poor, because John Lawrenston has proved the contents of his bill against him; and also ordains the said James to stand two hours on the Cross-head on ane mercat-day, or then (else) to pay other six shillings eight pennies to the poor, and to compear before the Minister on Sunday next in that place of repentance appointed for such, and there ask God forgiveness and the said John; for the performance of the whilk ordains him to be put in ward ay and until he find caution to do the same.

An Admonition.—*July 31, 1581.* Violet Doig, the spouse of Thomas Bishop, being accused of ane constant suspicion by her neighbours betwixt her and one called Edward Dalyell, servant to the Laird of Clackmannan, alleged bearing company with the said Edward, in drinking at ten or eleven hours at even,

has obliged herself, if ever she be found either with him or any other suspected person, in any time hereafter at such time of night, to submit her (self) to the discipline of the Church.

Marriage Parties limited.—August 21, 1581. The Elders finding and perceiving great abuse to ensue in contracts of marriage by the resorting and convening of many people with the persons who are contracted, wherethrough great perturbation not only is found in the assembly, but also in banqueting these; therefore the Elders have ordained that the parties come accompanied with six persons, every one of them the nearest of kin, and no more; and if they contravene the said act, the said banns and parties are to be rejected.

A Paramour.—September 11, 1581. The greatest part of the Assembly present ordains Jean Thornton* to be warned this day eight days, to hear witnesses sworn and admitted. November 5, 1581—Ordains Oliver Peebles† to compear this day eight days, to hear his appellation admitted, according to the act of the General Assembly,‡ in the action of his wife's (Jean Thornton) slander. November 20, 1581—The Minister and Elders think Maty Guthry's§ bill proven, and ordain the act of flyting to be put in execution against Jean Thornton, as it has been of before against others in all points. November 27—Compeared the Bailies, and promised to put Jean Thornton's act in execution against her; whereupon Oliver Peebles took an act, and protested that if she be hurt by them he will sue for remeid.||

* Jean Thornton was the wife of Oliver Peebles, and was accused of criminal intercourse with Henry Adamson, already mentioned as one of the Elders. He was present when she was cited, but it appears their Honours of the "Assembly" were not unanimous. We shall soon hear more of this profligate woman, whose conduct kept Perth in a ferment.

† Oliver Peebles, who was one of the Town-Council and an "Elder," was proprietor of Chapelhill. His name is in the list of Elders at the commencement of these extracts in 1577. His son, Alexander Peebles of Chapelhill, was several times Provost of Perth in the following century.

‡ This General Assembly was held at Edinburgh on the 17th of October 1581.

§ Maty or Martha Guthry was afterwards the wife of Mr Patrick Galloway, sometime Minister of Perth.

|| This determination of Oliver Peebles to protect his wife evidently intimates that at the time he had no suspicion of her improper intercourse with Henry Adamson, or at least that he gave no credit to the rumour.

St Obert's Players. — *December 25, 1581.* Whilk day the Minister and Elders presently convened, considering the idolatrous pastimes of sundry insolent young men, in playing of St Obert's play, to the great grief of the conscience of the the faithful, and infamous slander of the haill congregation throughout the haill country, have ordained, for present punishment of the same, and such like idolatrous pastime in times coming, that Walter Johnstone, Henry Hall, John Martin, James Ferguson, Robert Ferrier, Andrew Carmichael, Robert Tod, William Mortimer, Patrick Henry, with all the rest, shall be put in ward, therein to remain unreleased until every one of them shall have paid twenty shillings (Scots) to the poor; farther, that they shall put themselves in the seat of repentance, there to remain the Sabbath-day in time of the sermon; attour, that they shall find caution under the pain of L.10 (Scots), and doubling of the former punishment, so oft as ever they offend therein, never to do the like in time coming. And if any of the foresaids be not responsible* for the twenty shillings, they shall stand in the irons on the Cross-head two hours on an mercat-day, for that part; and this act to be extended upon all such like idolatrous players and observers of such like superstitious days in times to come without exception.

Negligent Magistrates. — *January 29, 1581-2.* Foras-meikle as Dionysius Blackwood has been oft and divers times charged to satisfy the will of the Kirk, and was disobedient, and therefore was given over into the Bailies' hands to take order with him for his disobedience, and nevertheless the Bailies are altogether slothful and negligent, and will not take the order therewith, therefore the Assembly ordains the Minister to give the said Dionysius admonition for his disobedience. Ordains the same act to be used against St Obert's Players which is made against Dionysius Blackwood.

A Witch. — *February 12, 1581-2.* Ordains the woman in the Meal Vennel suspected of witchcraft to be warned against this day eight days.

An Extraordinary Disclosure. — Upon the 21st day of this instant of February 1580-1, Maige (Mause) Mertyne being

* Unable to pay 1s. 8d. sterling.

put in the tower above the north kirk door for concealing and holding the truth in the action of M'Walter being an adulterer with Maige Paterson, as was alleged before Duncan M'Gregor, Elder for the present, Andrew Blythman, kirk-master, and John Ronaldson, officer, she depones that Maige Paterson sent her about M'Walter to his own house, desiring her to bring him to her mother's house, that the said Maige Paterson and he might forgadder there; but she would not, but brought him to the said Maige's father's house; and he being brought there, after that they had drank out the ale that was left over Maige's father's supper, they sent her (Maige Mertyne) about ane other pint of ale, and she being gone to the door, Maige Paterson being naked, her father sleeping, M'Walter with her put out the light, and in the mean time she heard the said Maige Paterson say to M'Walter that the morn they would thole meikle shame for the thing they were doing, and she said that they would thole meikle shame for it on the morn. And in the mean time M'Walter's wife came, and when Maige Paterson saw her she put M'Walter up a trap to a loft, and his wife perceiving that trailed him down the trap, and fell to the said Maige (Paterson), and rave (tore) her face and her luggs (ears), and so there was sic tumult amongst them that Alexander Maize's wife came furth with her maiden, and Henry with a cruise in his hand to see the matter.

Ante-Nuptial Immorality.—*March 5, 1581–2.* Compeared Peter Jackson and Janet Irvine, desiring their banns to be proclaimed, and before it was granted they confessed their fornication mutual, for the which they submitted themselves to the discipline of the Kirk, and they find John Robertson cautioner, first, for the fornication by-past; secondly, for performing of the marriage; thirdly, for abstaining from the having of carnall deall with (each) other before their marriage. For the relief of the said John Robertson, Stephen Fyfe has obliged himself. Term, twenty days after Pasce.*

Penance.—*March 12, 1581–2.* Compears Bessy Glass, spouse to William Duncan, and being accused, first, of ignorance of the principles of religion, and therefore thought unworthy of being admitted to the Supper of the Lord;

* Or Pasch, the Sunday before Easter.

secondly, for not frequenting the kirk on the Sabbath-day; thirdly, for resorting to common taverns, and filthy speaking before all kinds of men in the same, so as to be a public slander to the hail town; Therefore it is ordained, first, that she shall be every day an hour before noon hearing the examination public in the kirk in the rudiments of religion, and so learn; secondly, that she shall be every Sabbath-day twice in the day to hear the preaching; thirdly, that she shall never be found in a common tavern either dancing, or speaking filthy and slanderous talk, under pain of public repentance on the seat for the first fault; for the second fault, if she be found doing so again, she shall pay twenty shillings (Scots) to the poor, shall stand ane hour in the irons on the Cross-head on ane mercat-day, and be on the public stool of repentance; and in the mean time she is to find caution to fulfil the premises. Compears William Tyrie, younger, and offers himself for the relief of Bessy Glass out of ward, for fulfilling of the premises contained in the foresaid act, or else so oft as she shall be found culpable in any of the foresaid points of the ordinance made against her, he shall present her to the Kirk under the pain of L.10 (Scots) to the poor, ay and until he be delivered of his cautionry; providing always that the said William Duncan (her husband) be his relief as he has offered; and upon his offer she is let out of ward.

Summary Punishment.—*March 12, 1581.* Ordains Dionysius Blackwood with expedition to be put upon the Cross-head the next mercat-day, there to stand four hours locked in the irons, for his double fornication, and thereafter to be presented to the Kirk; and this ordinance to be given to the Bailie of his own quarter to be put to execution, and he refusing to execute the same, it is ordained to be delivered to Oliver Peebles, Bailie. *March 22*—Whilk day Dionysius Blackwood being presented before the Ministers and Elders, and accused why he would not have the bairn gotten in fornication with Violet Hillock, he denied the same; yet notwithstanding, his defences being heard, the Assembly thought them not relevant. And therefore the said Violet being sworn, and deponing that in the getting of that bairn she never knew one but Dionysius, the Assembly with one voice concluded that the bairn is the

said Dionysius', and burdens him to present the child to baptism, and to sustain the same for his own part.

Another Offender.—April 2, 1582. Christian Williamson, fornicatrix, ordained to be put in the tower above the north kirk door.*

The Earl of Gowrie's Timber stolen.—April 16, 1582. Ordains Thomas Mar to prove Robert Martin to be the stealer of My Lord's timber against this day twenty days. May 14—Forasmeikle as the Minister and Elders, perceiving that the actions intended before them by Robert Mar, wright, and Adam Blithe on the one part, against Robert Martin alias Maxwell in the Wood-End,† are perjury and theft, which are actions not pertaining to the ecclesiastical senate, they find themselves not judges competent to the same; therefore, with one consent they refer the said actions to the Bailies as judges ordinary to the same.

Daily Aliment for a Witch.—April 16, 1582. Ordains James Syme (box-master) to give the witch in the Tolbooth eight doits in the day.‡

A Confession.—May 14, 1582. Compears Isabel Paterson, and confesses her fornication with Walter Chalmers, dwelling with the Prior of Charterhouse§ quartered (residing) in Alexander Chalmers' house, burgess in Perth. The time of their carnal deall was first at Martinmas last bypast, and the last was eight days thereafter, in anno 1581. For the which fault she submits herself to the discipline of the Kirk, and therefore is ordained to be put in the ward of the fornicators above the north kirk door.

* This was known as Halkerston's Tower, and was a very ancient building, which the Kirk-Session constituted a prison for those whom they committed, as more convenient than the Tolbooth.

† On the opposite side of the Tay on the shore between Kinnoull parish church and Kinfauns Castle.

‡ The Kirk-Session made a show of mock humanity in this case, as eight doits amounted to the *liberal sum* of eight-twelfths of a penny sterling!

§ After the demolition of the Charterhouse, or Carthusian Monastery, at Perth, the title of Prior, with some rents, and the privilege of voting in Parliament, was granted by the Crown to several lay persons. The Prior of the Charterhouse here mentioned was probably James Balfour, who is so designated on the 17th of November 1594.

An Inefficient Precentor.—*July 2, 1582.* Whilk day, forasmeikle as John Swinton, master of the Sang School, is found not qualified for that office, and is guilty of divers other faults disagreeing in the person of him who has office in the Kirk of God, it was ordained that he should on no ways pretend to such an office in time coming, or yet should take up the Psalm in the kirk.*

Assault and Slander.—*July 9, 1582.* Whilk day James Lawson's action of slander intended by him against John Shepherd and his wife was brought before the Assembly, but the ground of the slander being ryped out (investigated), it was found to proceed of the shedding of blood. It was delayed till order first should be taken with (the shedding of) blood by civil judges, and thereafter justice should be ministered for the slandering of the said James.

An Unfortunate Husband.—*August 13, 1582.* Compears Oliver Peebles, and gives in ane bill of complaint against Henry Adamson; and to the effect the order may be observed, he has found William Monipenny† willingly caution, under the pain of five hundred merks (Scots, or L.27:15:6 sterling), to be given to the Hospital, that he shall prove the bill, and Oliver on the other part has promised to relieve him. Compears Oliver Peebles, and takes an act that the Minister and Elders denied to give him justice, by reason they driflet (delayed) time. Ordains Henry Adamson to be warned against this day eight days. *August 20*—Compears John Peebles, and desires the Bailies, seeing that Henry Adamson was in hands, to put him in firm ward, ay and until he find caution to be answerable to the laws, seeing that his brother Oliver Peebles found caution, under the pain of five hundred merks, to pursue the said Henry criminally, but no answer was given by them unto the said John. Whilk day the Elders presently convened, perceiving Henry Adamson to desire ane copy of the bill given in by Oliver Peebles against him, think that forasmeikle as no preparative (precedent) has been before to

* In addition to this functionary's deficiencies, though he was continued in his office, he was an immoral person. See the date, April 11, 1586.

† Evidently a relation of Thomas Monipenny, younger, mentioned under date 21st April 1578.

give ane copy of any bill given in before them, they think he should have no copy of the said bill, but should answer presently *yea* or *nay*; which he being called in again, refused to do, and answered he would neither answer affirmative or negative except he received the copy of the bill given by the said Oliver against him. Compears Jean Thornton, and, uncompelled, confesses that Henry Adamson has pursued* her more than these nine years, but he had never to do with her but within this towmond (twelve months), and the first time was the last night of the last watch, in her own house, at ten hours at even, she sitting at the fireside drying some clothes, her goodman being at the watch, on the kist (chest) before her bedside, nobody being present but his man at the door without, and her woman (servant) being forth; secondly, in his own barn, on a Saturday before noon, she going torrel myln* passed in with him, and steikit the door after them, herself standing without at the door; thirdly, in her own coal-cellar, on a night at even, her goodman being therein, who sent her to Alexander Williamson's house, and going forth she met Henry (Adamson) standing under the stair in the Southgate, and returned with him to the cellar; fourthly, in the said Henry's yard, four days before his bairn died; and never sensyne (since), nor before, had she to do with him. The haill Elders, being present for the time, ordain Oliver Peebles to find sufficient caution that Jean shall be answerable to the discipline of the Kirk, to be punished as an adulteress, in respect of her own confession, and ordain her to make her repentance. Ordains Henry Adamson to be warned against this day eight days. *August 27*—Whilk day compears Henry Adamson, and alleges there are two parts in the bill given in by Oliver Peebles against him; the one containing the fact of adultery committed by him with the said Oliver's wife, (which) he *simpliciter* denies; the second is, the slander, which he

* This profligate and abandoned woman means that Henry Adamson had been for upwards of nine years importuning her to yield to his criminal desires. Mr Adamson was a precious specimen of an "Elder." The confession of Jean Thornton, otherwise Mrs Peebles, is most disgusting, but it is here purposely inserted as one of the many instances of the immorality which prevailed in Scotland after the Reformation.

† Sic in MS.

alleges is unjust, and that it is he that is slandered if any be slandered, and he protests for remeid in case he be absolved.* Nevertheless, he, being desired to oppose against the said Oliver's witnesses in respect of his denial, admitted thirteen of the said witnesses hereafter specified, of the which witnesses so many as were present deponed as follows:—Robert Hally confesses that Jean Thornton, spouse to Oliver Peebles, cried him off the gate (street) on ane Sunday, and bid him tell Henry Adamson, Dean of Guild, to come and give her ane choppin of wine, for she had some secret to tell him, who did as the said Jean commanded him; which thing (Jean Thornton's message) when the said Henry heard, he bid him speir (ask) at Jean what place he should come to give her the choppin of wine; who coming to speir at Jean of the place where they (she and Henry Adamson) should meet, met with her in the kirk-yard, and did as he was commanded by Henry, and she bid him tell Henry to come to Elspeth Ramsay's. And being demanded if Henry came to the said Elspeth's, confesses that Henry came that Sunday afternoon, but that he spake not with Jean at that time, for, while he was going up the stair, the said Oliver coming through the kirk-yard, and he slipped his way (retired from the place), and in the meantime he said—"Yonder is Oliver coming." Moreover, he (Hally) confesses that Henry Adamson and Jean Thornton were another time in Elspeth Ramsay's, he being with them, together with Donald Baron of Carquhom, Patrick Malloch and his wife, and that they had ane pint of wine and ane quart of ale. Secondly, he being demanded if he was with them in any other place, confesses that he was with them in Alexander Anderson's cellar beneath the Cross, at the cellar-door-cheek, the goodwife, her daughter, the aquavitæ-man (!), with others of his servants, being present for the time; and another time in that same house, he grants that they were in ane high chamber, the goodwife and he being present. And he being inquired if he left them in any house by themselves, or if he was sent forth any errand from them, declares on his conscience he never left them, nor was sent from them, except it was to the house they were in, to bring a piece bread to

* Found innocent.

Henry and Jean to drink withall. Thirdly, confesses they were in William Adamson's (house) another time, he being with them, but that their hail speech, wherever he was with them, was about Dionysius Conqueror's matter that he had to do with Oliver Peebles. And, last of all, he being demanded if he ever brought any letters or bills from the said Henry to Jean, he answered it might well have been that he brought bills from the said Henry to Jean, but in his conscience whether he brought bills or not he remembers not at this present.—Thomas Clerk, admitted and sworn, says nothing. Thomas Dalglish, admitted and sworn, says nothing.—Alexander Shepherd, admitted and sworn, depones, that Henry Adamson has sundry and divers times come to him to speir for Oliver Peebles, Bailie, and sometimes he has seen him go into Oliver's house when Oliver was therein, and sometimes when he was not therein, but how long he would remain he knows not.—Alexander Currie, admitted and sworn, says nothing. The rest of the witnesses were absent that were admitted. *September 3*—Continues the action intended by Oliver Peebles, Bailie, against Henry Adamson, Dean of Guild, until the morn (morrow) after the prayers, the Elders being warned *apud acta*, together with the witnesses, in the said action. *September 4*—Whilk day, in the action intended by Oliver Peebles against Henry Adamson, the parties being present, thir witnesses after specified were admitted, sworn, and deponed, to-wit, David Sibbald, James Hardie, David Brown, his wife Catherine Nicolson, and Elspith Ramsay. Refers the action intended by Oliver Peebles against the said Henry till Monday next. *September 10*—Whilk day the Minister and Elders, being resolved of the two oppositions, Henry Adamson opposed against some of Oliver Peebles' witnesses, concluded with one voice, first, that famous (respectable) women ought to bear witness in any matter that comes before them, and their testimony received so far as the law permits; secondly, that those whom the party offender has under labouris may be received, provided that the labouris has been taken of such persons as are called to be witnesses after the action has been intended wherein they are called to be witnesses. Whilk day compeared Henry Adamson, and under protestation, as of

before, not admitting the Ministers and Elders judges (to be) competent, and admits the witnesses after specified.*

A Savage Husband.—*September 10, 1582.* Compeared David Gray's wife, and complained upon her husband that he kept not his own house, but was an adulterer with Donald Thomson's wife, and when she was reproving him (for) being in Donald's house at midnight, and before sundry neighbours, he came home immediately thereafter, and bound her hands and feet, and took the stenchal of ane window, and laying her on a stool broke her legs, arms, and shoulders, which she shewed before the Assembly, and the neighbours testified. He is ordained to be warded, and to sustain an inquest of neighbours.†

Children to be Fined.—*September 17, 1582.* Ordains that all bairns that perturb the kirk in time of preaching or prayers shall be awarded ay and until they pay six shillings eight pennies (Scots, or sixpence sterling.)

A Conditional Exemption.—*September 24, 1582.* Whilk day, the Minister and Elders being present, compears Robert Makison, who confesses his fornication with Violet Purvis, and submits himself to the discipline of the Kirk. Therefore it is ordained that he should enter into ward as a fornicator, to be punished, or else to pay L.4 (Scots, or 6s. 8d. sterling) for dispensation from the ward and Cross-head, or else to pay forty shillings (Scots, or 3s. 4d. sterling) for dispensation from the Cross-head, and to enter his person in ward this day eight days.

* Mr Scott observes—"This famous process between Oliver Peebles, Bailie, and the Dean of Guild, was carried on before the (Kirk) Session some time longer; but though many witnesses were examined, one of whom was the old nurse of Oliver Peebles, the particulars of their depositions were not set down in the Register. It would appear that the (Kirk) Session found the libel against Henry Adamson not proven, as they only censured Jean Thornton according to her own confession, that is, as guilty according to her own allegation with Henry Adamson." Jean Thornton, who, in addition to her other enormities, was a drunkard, was ordered to be excommunicated on the 20th of November 1582. At that time she had been married to Oliver Peebles upwards of eighteen years.

† David Gray, the perpetrator of this outrage, was executed about two years afterwards with his paramour for adultery. See the date, 24th August 1584, for another instance of the licentiousness of this wretched man.

A Troublesome Offender.—November 12, 1582. Whilk day Margaret Gibson appeared, and being accused of her own harlotry, and, secondly, of the burying of infants unbaptized without the knowledge of Nicol,* or of the bellman: ordains the Bailies to put their Act to execution made concerning the removal of Margaret Gibson within eighteen hours.†

Punishment of Delinquents.—November 20, 1582. Ordains John Ronaldson,‡ having (in custody) fornicators, to put every one of them in an sundry house (separate apartments) in time coming, to give them but (only) bread and small drink, to let none of them come to the nether window, and when they come to the Cross-head they shall be fast locked in the irons two hours, their curchies§ off, their heads and their faces bare, without ane plaid or any other covering, under pain of tinsall (loss) of his office.||

Suicide.—December 3, 1582. Whilk day the friends of William Fary, who drowned himself at the head of the South Inch in the Water of Tay, coming to the Minister and Elders, convened together for the time in their revestry, and desiring license at the Assembly to bury the said William in the Greyfriars', which is the burial (place) appointed for the faithful that depart in the fear of God; the Assembly answered with one voice that they would not suffer him to be brought through the town in daylight, neither yet to be buried among the faithful in the place appointed for their burial, but ordain that he shall be buried in the Little Inch within the Water;¶ and this to have the force of an Act to such persons in all time coming,

* This man was the grave-digger.

† It seems that this woman persisted in inhabiting a house in the Greyfriars' Yard, in defiance of the Town-Council and Kirk-Session. As that yard was also the common burying-ground, her facility for interring unbaptized infants is explained.

‡ John Ronaldson was the "officer" or beadle of the Kirk-Session.

§ Caps, *Scottic* mutchea. This intimates that the delinquents were females.

|| Mr Scott observes, that notwithstanding the severe proceedings of the Kirk-Session against immoral persons, their "number was still amazingly great; the common prison must have been often filled with them, and with other persons committed by the (Kirk) Session, when no doubt revellings and other indecencies would be practised."

¶ A former islet in the Tay, east of the Penitentiary, between that edifice and the river.

and assuring all that if any contravene the same, the dead shall be taken up again, and the contraveners hereof shall make their public repentance upon the seat, and thereafter shall pay L.10 (Scots, or 16s. 8d. sterling), to be given to one of the Deacons, that they may distribute it to the poor.

Idlers in time of Sermon to be punished.—January 8, 1582–3. Whilk day the Minister and Elders being convened, it was ordained that an Elder of every quarter of the town shall pass through the same every Sunday in time of preaching before noon then time about, and note them that are found in taverns, baxters' booths, or on the gates (streets), and delate them to the Assembly, that every one that is absent from the kirk may be puinded for twenty shillings, according to the Act of Parliament.*

An old Acquaintance.—January 29, 1582–3. Whilk day Jean Thornton being accused, first, for her absence from the stool of repentance on Sunday last past; secondly, for slandering of honest men and women in this town, alleging them more guilty of adultery than she was; thirdly, of evil speaking on the stool of repentance; fourthly, of fearful execrations used by her the night the bridge fell.† She denied the whole, except the first, viz. her absence from the stool, at which time she was sick, as she alleged. Nevertheless the Assembly shall take to prove the rest of the points of her accusation this day eight days.

A Negligent Bellman.—February 18, 1582–3. Ordains that Nicol (Ronaldson), bellman, shall do his duty in all things in ringing of the bells in due time, and keeping of the kirk, under the pain of deprivation.

* The Parliament held at Edinburgh, 20th October 1579, passed an Act entitled "Discharge of mercats, and labouring on Sabbath-days, or playing and drinking in time of sermon." Mr Scott records that this practice of the Elders perambulating the streets of the Fair City during the preaching, and apprehending all whom they found absent from the sermon, was in operation in November 1775.

† Five arches of this bridge, which was thrown over the Tay almost on a line with the present High Street or North Street, fell on the night of January 14, 1582–3. Three arches had fallen on the 20th of December 1573, two others on the 24th of December 1589, and, though those disasters were repaired, the whole fell, with the exception of one arch, in 1621, after which the citizens of Perth were *minus* of a bridge, and were obliged to be content with ferry boats for upwards of a century and a half.

Cautioner for Slander.—*March 15, 1582–3.* Whilk day the Minister and Elders being present, it was ordained that the Act made in Mr James Smith's (Reader) time against Jean Thornton should be put in execution against herself and her cautioner, for her wicked and ungodly slander committed anew against Matty Guthrie against her promise.*

The Precentor admonished.—*July 29, 1583.* Ordains John Swinton (precentor), first, to keep only the tenor in the Psalm, secondly, to help and sustain his bairn, under the pain of deprivation from his office.

An old Acquaintance to be excommunicated.—*October 14, 1583.* Whilk day the hail Elders in one voice appoint the excommunicating of Jean Thornton by Mr Patrick Galloway, for her adultery confessed, and by reason of her obstinate disobedience to the voice of the Kirk.

Another Delinquent.—*December 22, 1583.* Compears William Gray, and confesses his fornication with Agnes Fulton, and finds William Ross at the Charterhouse-gate cautioner that he shall enter this day eight days to his repentance.

Absence from Sermon.—*Same date.* Whilk day, forasmeikle as Margaret Smith, spouse to George Hunter, absented herself from the kirk in time of sermon this year bygone, but especially in the time of public fasting, therefore she is ordained to pay L.3 (Scots, or five shillings sterling) for her absence commonly from the kirk in time of fasting, and to be warded until she find caution, under the pain of paying of the extremity of the Act of Parliament made thereanent, if she be found absent in any time coming, who found John Donaldson, tailor, cautioner for the same, George Hunter, her husband,

* Jean Thornton's "slander" had probably some very significant reference to the intended marriage of "Matty" to Mr Patrick Galloway. On the 21st of April it was reported to the Kirk-Session by Mr Galloway and his sweetheart that they wished their banns to be proclaimed, preparatory to their marriage in summer, and it is curious that Oliver Peebles was cautioner or security for the lady that she would fulfil the contract on her part. This marriage is altogether omitted in Wood's edition of Douglas' Peerage of Scotland, under the title of GALLOWAY LORD DUNKELD, the son of Mr Patrick Galloway. The only wife of Mr Galloway, the mother of Lord Dunkeld, is there stated to have been Mary, daughter of Mr James Lawson, the friend and successor of John Knox as Minister of Edinburgh.

relieving him as he promised to do, and farther promised to give the sum laid to her charge whenever she should be required thereto.

A Disobedient Step-Son.—*January 20, 1583–4.* Whilk day compeared Walter Bog, and being accused of cursings and biting his mother-in-law to the effusion of her blood, and by the testimony of three honest men, admitted and sworn witnesses, convicted of the same, he was ordained by the uniform consent of the Minister and Elders to satisfy the Kirk in fulfilling the hail points of repentance prescribed in the Book of Discipline* to an adulterer or homicide, and publicly to crave pardon of his mother-in-law in presence of the hail congregation in the kirk, and in the Common Vennel, where he committed the offence, and to pay ane certain penalty to the poor; and farther, desire the Bailies and Civil Magistrate to take order with him for punishing his person civilly, in respect his offence and fault is judged by the Book of God heinous, and worthy of the dead (death), as well as adultery and homicide; and, moreover, that his father provide for him hereafter, that he be not found to molest her by word or deed, which if it be done, his father and he both shall be subjected to ecclesiastical and civil censures extremely; and ordains this Act to have place in all such like crimes hereafter, and to be extended alike on all such persons.

Concealers of Immorality.—*February 1, 1583–4.* Whilk day, forasmeikle as fornication does abound within this burgh of Perth without any kind of punishment, by reason that the offenders, so soon as they know themselves to be with bairn, eschew from the officer of the kirk when he comes to charge them, and so no order can be taken with them except they be presented by their masters in whose house and under whom they dwell; therefore it is ordained that all masters, mistresses, and men, with whom and under whom they dwell, shall make intimation to the officer of the kirk, that they may be charged by him to compear before the Assembly, according to order, under the pain of paying thirteen shillings four pennies (Scots, or 1s. 1d. sterling) by them that contravene the same; and

* The First Book of Discipline, compiled and produced in 1560.

siclike that themselves (the accused persons) shall present themselves before the Minister and Elders on an ordinary day of Assembly, under the pain of forty shillings (Scots) to the poor.

Mr Patrick Galloway, Minister, insulted in St John's Church.—*March 30, 1584.* Whilk day the Minister accusing Thomas Anderson, alias Turner, before my Lord Gowrie* and the Elders for interrupting of the Psalm, and speaking in time of the sermon, and after sermon immediately calling his Minister a *drunken minister*, he (the said Thomas) declined from the judgment of the Minister because he was a party; yet he, giving injurious talk to the Minister, was commanded by my Lord Gowrie to be put in fast ward till he find caution to answer the Kirk.†

An Illegitimate Child.—*July 7, 1584.* Whilk day Robert Combshank, having referred it to Janet Grant's oath whether the bairn she had borne was his, and she having sworn that it was his only, he took with the bairn,‡ and desired baptism to it, which desire was granted, provided he and she should find caution to satisfy the will of the Kirk. He procured George Mathew to be cautioner for him, and Mr Henry Anderson§ to be cautioner for her, so the bairn was baptized in presence of the Elders and the congregation.

Remarkable Leniency to Offenders.—*August 24, 1584.* Whilk day William Hall and Adam Anderson, Bailies, John Davidson, Elder, John Laurie, Andrew Mercer, Andrew Donaldson,

* William first Earl of Gowrie was at the time Provost of Perth.

† Mr Patrick Galloway was a few weeks afterwards compelled to take refuge in England for various seditious practices. He was particularly intimate with the Earl of Gowrie, was connected with or had knowledge of the Raid of Ruthven, and of the proposed plan of surprising Stirling Castle. Notwithstanding the wrath of James VI. against him, he was soon permitted to return to Perth, and became a peculiar favourite of the King.

‡ Acknowledged himself to be the father of the child.

§ Henry Anderson, or *Mr Henry Anderson*, as he is called, who is mentioned in the most laudatory style in the preliminary verses to his nephew Adamson's metrical history of Perth, was a merchant in the "Fair City." He had received an academical education, and took the degree of Master of Arts. Anderson was a man of learning, and resided some years in Italy, at his return from which country he was chosen a Magistrate of Perth in 1611. When James VI. visited Perth in 1617, he was addressed in a Latin poem by Anderson, published in "The Muses' Welcome to King James the Sixth."

Andrew Johnston, and Walter Elder, Elders, being assembled together with the Reader, in the absence of Mr Patrick Galloway, Minister, understanding by report of neighbours the filthy communication in adultery of David Gray, spouse to Elizabeth Campbell, and (of) Helen Watson, spouse to John Stevenson, concluded to go and take them, and put them to an inquest; who, passing, found the said Helen at home in her bed, lying in the brew-house, being full of blue and bloody strokes, and being demanded who handled her so, she answered that the said David did it because he had not got his will of her; yet being brought forth to ward, the neighbours testified that the said David cohabited with her as man and wife; so, she being had to ward, they passed, and took the said David, desiring the Bailies to put them to an inquest. Compeared Dionysius Conqueror, offering uncompelled to be cautioner,* under the pain of L.100 (Scots, or L.8:6:8 sterling), that David Gray should never abuse himself again, neither be found in suspected places, neither with Helen Watson, nor yet with no other, in time coming, upon the which they were both relieved.†

Regulations for Baptism.—October 25, 1584. It was also ordained that no bairn should be baptized off ane preaching day, except the midwife declared on her conscience that the bairn was weak to whom the parents desired baptism; and in case any bairns were gotten in fornication, it was ordained, in respect the offenders cannot satisfy by reason of the plague,‡ that before the bairns be baptized the silver (siller?) shall be delivered to one of the Deacons which fornicators ought to pay, according to former Acts.

No Altercation to be allowed in the Kirk-Session.—December 14, 1584. Whilk day the Minister§ and Elders being convened,

* And yet Dionysius Conqueror, who voluntarily became security for this villain, was elected one of the "pious" fraternity of Elders on the following 18th of October. It will be immediately seen that David Gray and his paramour soon suffered the last penalty of the law.

† Mr Scott remarks on this disgusting case—"Persons guilty of adultery had not, in the former state of the (Kirk) Session, been in use to get free so easily."

‡ An epidemic called the plague was that year making havoc in Perth.

§ This "Minister" was Mr John Howison, who had been compelled to leave Cambuslang, in Lanarkshire, by order of the Government, and who officiated at Perth in the absence of Mr Patrick Galloway.

it was ordained that no particular of any man's should be casten in to trouble the Assembly, under the pain of five shillings (Scots, or five pence sterling.)

Extraordinary Depravity.—January 5, 1584–5. Whilk day the Minister, Dionysius Conqueror, Andrew Stoup, William Hall, Blais Colt, Adam Anderson, Duncan Robertson, and Constantine Meliss, Elders, being convened for the time, compeared Helen Watson, spouse to John Stevenson, and being accused of adultery committed by her with David Gray, spouse to Elspith Campbell, confesses that on Tuesday at even, which was the 29th of December, she was taken out of David Gray's house by the watch, nothing being off her save her courchie, her collar, and sleeves, and the said David was in his naked bed. And being demanded what she meant to do, she answered, she meant to sit all night at the fire with ane plaid about her head. And being demanded where she was on Monday at even, she answered she was in Kintilloch, in one Janet Clerk's house all night, laying and receiving certain wadds and pledges to her; and coming home, she met with the said David bringing ane stoup and pint of ale out of ane house hard without the Highgate Port-check,* who desired her to go with him, and she obeyed. The Minister, Mr John Howison, desired Thomas Donaldson, who was minded to pass to Lochtown, to speir by the way at Kintilloch if there was ane called Janet Clerk there, and if there was, whether if Helen Watson was with her on Monday at even, or not; who, after having gone forth and speired, declared on his conscience that he sought for the said Janet, but could not find such an one in all the town. Compeared David Gray, spouse to Elspith Campbell, and, being accused of adultery with Helen Watson, confesses that he being in his own house on Tuesday at even, the 29th of December 1584, the said Helen Watson being with him, but not in the bed, and he being in his naked bed, Thomas Cock and John and Thomas Monipenny came and took him and her, and brought them to ward. And being demanded if he was minded to let her sit in the chimney-nook all night, answered, nay, for he rose out of his bed, and took off her couch, and desired her to lie

* Without the High Street, or North Street gate.

down. And being demanded where he met with her, answered, Bringing a tin stoup with ale out of William Gow's, he met her at Robert Cock's coble store, but he desired her not to go with him, yet she followed him; and farther he declared that he knew not where she had been before. Farther, he ratified his former confession made by him when he was relieved by his wife. The Eldership finding their confession to be divers, and understanding the contrary, delivered them to Thomas Monypenny, Bailie, desiring him and the rest of the Bailies, according to God's Law and the laws of the Realm, to put them to an inquest, referring the witnesses to the trial of the same; and for this effect ordained a supplication to be made to the Bailies.*

Suspected Conjugal Fidelity.—*January 18, 1584–5.* Whilk day, in presence of the haill Session, compeared James Wallace, and confessed that his bairn was unbaptized because he suspected it was not his own; therefore, first, he is ordained to have it baptized, because he keeps company with Elspith Carver his wife; second, he is ordained to resort oftener to the kirk than he did of before; third, his wife is admonished that if she be found in suspect company, then the Kirk will proceed against her as an adulteress.

Incest.—*February 15, 1584–5.* Compeared Robert Anderson, alias Card, and confessed his incest with Margaret Black, his wife's daughter, who is ordained to make his repentance therefor, and find caution for an hundred (merks) that he shall continue therein, who found William Anderson and Chrystie White cautioners to obey whatever punishment the Kirk should enjoin to him.

A Woman bound to her good Behaviour.—*March 29, 1585.* Compeared Isabel Wenton, and found John Wenton cautioner under the pain of L.100 (Scots), first, that she should keep preaching and prayers in all time coming, especially on Thursday and Sunday; second, that she should live in peace with her neighbours, especially with Walter Elder and his

* The Bailies, in compliance with the supplication or petition of the Elders, tried the accused parties, and the result is thus marked in the Register, in a marginal note:—"David Gray and Helen Watson were execute the 12th day of January 1584–5, for their adultery, on the gibbet beneath the Cross, foreanent her mother's yett."

servants; thirdly, that in all time coming she should be obedient to her husband, according to God's commandment. And John Elder her husband received her again, and obliged himself to relieve the said John Wenton.

An Excommunication.—April 12, 1585. Whilk day I, John Howyson, Minister of God's Word for the time at Perth, excommunicate with the grief, sorrow, and dolour of my heart, Margaret Watson, sometime ane member of the said kirk of Perth, for double adultery, and two bairns born therein; which bairns received never the sacrament of baptism, and one of them she suffered to perish and starve for hunger in the lodges infected with the pest. For these causes, and also for her stubborn disobedience to the voice of the Kirk, after many due admonitions, especially three openly out of the pulpit, the first admonition the last day of January, the second the seventh day of February, the third the fourteenth day thereof, being all Sundays, anno 1584–5; as also on the 25th day of March last bypast, Mr William Cock, Reader, in name of the Kirk, admonished the said Margaret in the Tolbooth of Perth before Andrew Stoup, Duncan Robertson, John Strathmiglo, and Constantine Meliss, Elders, and witnesses to satisfy the Kirk for her foresaid adultery; the whilk to do she absolutely refused. I, therefore, pronounced the sentence the 11th day of April thereafter, anno 1585, before these witnesses, who were witnesses not only to the pronouncing of the sentence, but also to the admonitions all the three several Sundays, to-wit, George Johnston, William Fleming, Thomas Monypenny, and Patrick Blair, Bailies; Andrew Stoup, Blais Colt, William Hall, and Duncan Robertson, Elders, with the rest of the hail congregation. In witness whereof I have subscribed these presents with my hand the 12th day of April the year of God 1585.—Mr JOHN HOWYSON, *with my hand*.

A Mistake.—May 30, 1585. Compared Christian Ferguson, and being suspected of adultery with William Stevenson, confessed that the bairn was gotten in William Stevenson's house, but the bairn was Adam Ferguson's in Mullion, who being in ward, the Elders, in respect of the vehemence of the pest, and she being near to be delivered, relieved her out of ward till the plague ceased, and she were delivered.

No Carousals at Marriages during the prevalence of the Plague.—May 24, 1585. It is statute and ordained that hereafter, induring the time of the plague, no banquets should be at marriages, and no persons should resort to bridals, under the pain of L.10 (Scots, or 16s. 8d. sterling), to be paid by ilk ane that contravenes the same, and L.40 (Scots, or L.3:6:8 sterling) to be paid by them that call more than four persons on the side to the banquet or bridal induring the pest.

A Woman to be ducked.—June 28, 1585. Compeared Janet Will, and confesses her triple fornication with Andrew Toshach, who is ordained to be shaven, and ducked according to the Act of Parliament, yet her ducking is suspended till she be delivered of her birth.

The Adventures of a Gallant.—July 5, 1585. Forsomeikle as Thomas Smith confessed his triple fornication with three sundry women, and now having the last woman with bairn again, it is ordained that he shall be warded, shaven, and ducked, according to the Act of Parliament. July 17—Whilk day the Minister, Adam Anderson, Andrew Stoup, Henry Lees, John Stramiglo, Constantine Meliss, and Duncan Robertson, Elders, and William Fleming, Bailie, being convened for the time, understanding that Thomas Smith had broken the King's ward, and notwithstanding of his grievous offences would not satisfy the Kirk nor yet obey the Act of Parliament, to the dishonour of God, contempt of the King's Majesty, and slander of the Kirk, ordained Mr John Howyson, Minister, to admonish Thomas Smith, Margaret Oliphant, and Thomas Walker, before excommunication, and in case of disobedience to excommunicate them. It was also ordained that the said Minister should charge publicly out of the pulpit all that know of Thomas Smith's waygoing, or are partakers of his crime, that they either advertise himself (the Minister), or the Reader, as they think best, otherwise, in case that knowledge be gotten hereafter, they shall be excommunicated and punished according to the laws of this Realm. July 26—Forsameikle as Barbara Brown, notwithstanding she was making her repentance for her fornication with Thomas Smith, yet haunted his company twice on ane Sunday when she was on the stool, therefore she is ordained to stand two hours on the Cross-head on ane mercat-

day locked in the irons; and if in any time coming she shall be found in his company, except he marry her, it shall be reputed for double fornication. *August 12*—Whilk day forsomeikle as Thomas Smith, as appeareth by the ingiving of his bill before the Session, did offer his repentance for his triple fornication, wherefore it was concluded to receive his repentance, notwithstanding he was publicly admonished in order to excommunication before that he shewed himself obedient, providing he satisfy the civil magistrate for breaking of the King's ward and Acts of Parliament made against fornicators of the third fault. *August 30*—Present the Minister, Adam Anderson, William Hall, Thomas Cock, Andrew Stoup, Duncan Robertson, Constantine Meliss, and John Strathmiglo. Forsomeikle as through the negligence of the Bailies sundry were not punished that contemned the Kirk and the ordinances thereof, therefore the Assembly with one voice ordained the Minister to proceed with admonitions, before excommunication, against the Bailies, in case they put not the King's Majesty's Acts of Parliament to execution against Thomas Smith on Saturday next, and in all time coming against all such public offenders. And that the Bailies may be foreseen of this ordinance, the Assembly ordains Dionysius Conqueror and David Robertson to speak to them, and to report the Bailies' answer to the Minister on Thursday next, that, in case they do their duty, he may stay to proceed, otherwise that he give his first admonition on Thursday next to come, and, in case of disobedience, on Sunday come eight days to excommunicate them without any farther delay. And this Act to have place not only against the Bailies present, but in case their successors Bailies do not their duty, that in like manner the Minister of this congregation shall proceed against them, that good order may be observed within our burgh, and the Kirk may get obedience. *September 6*—Compeared Thomas Smith, and, having satisfied the Acts of Parliament, submitted himself humbly to the Kirk, lamenting his stubbornness, and promised to satisfy whatsoever the Kirk would lay to his charge.*

* On the 7th of October 1585 occurs this entry in the Register—"Whilk day Thomas Smith, Rosina Bruce, and Janet Reid, were received by the Elders as obedient members of Christ's Kirk."

A Summary Order against Delinquents to pay their Fines to relieve the Poor who are infected with the Plague.—July 17, 1585. Whilk day the haill Assembly and Session of the kirk agreed in one voice that so many fornicators as have not satisfied the Kirk for their offences hitherto, and are rather willing to pay any pecunial sum of money, according to the Act of Parliament,* than otherwise to satisfy the civil Magistrate and the Kirk, for relief of the poor, being presently in great necessity, shall instantly deliver the same according to the Act of Parliament, to support the poor that are furth in the lodges,† who otherwise shall be abill (likely) to die for want, or then (else) to be compelled to stray and go abroad in the country, and infect the same. And ordain that this our ordinance shall have only place (authority) induring the time of the plague and this extreme need, whilk otherwise cannot presently be helped, and therefore desires both all this congregation, and also all them that shall come after us in our rooms (stead), to judge charitably of this our ordinance, and rightly to ponder and weigh the causes that moved us thereto, to-wit, the saving of the lives of our poor brethren and sisters, and could find no other help at this present to relieve them withall, and therefore have received for this effect the pecunial fine from the persons under-written, and also discharges the persons under-written from all farther satisfaction to the Kirk, they are to say, George Johnston, Bailie, Catherine Heron, James Gibson, John Robertson.‡

* The fine for the first fault was L.40 Scots, for a relapse 100 merks Scots, for the third fault L.100 Scots, payment of which exempted offenders from the civil punishment, viz. imprisonment, standing in the irons on the Croghead, and probably from appearing on the stool of repentance in the parish church.

† The "lodges" were bothies or temporary huts erected in a muir in the vicinity of Perth to accommodate those infected with the raging epidemic, all such persons having been ordered to leave the town. The Fair City was in a deplorable state as it respects finances to support the inmates of the "lodges," who conducted themselves in the most licentious manner, and the Magistrates were compelled to obtain contributions from Edinburgh, Stirling, and other places. The denizens of Stirling sent them a quantity of butter (!) instead of money.

‡ Mr Scott thinks proper to state that this indulgence, which their "Honours" of the Kirk-Session were evidently anxious should not be misinterpreted by their successors, was "dictated by the deplorable necessity of the time."

An Unenmiabie Office.—*July 26, 1585.* It was ordained that James Pitlaidy should shave the heads of fornicators and fornicatrixes, and should receive yearly forty shillings (Scots, or 3s. 4d. sterling) therefor, which he consented to do, and thereupon he was relieved out of ward.*

A Disobedient Sexton.—*September 13, 1585.* Ordains John Forbes the sexton to be warded for disobedience.

Observance of Sunday.—*Same date.* Forsomeikle as sundry resorted in time of sermon to taverns and alehouses, and came not to the kirk as became Christians, therefore it is ordained that ilk taverner or ale-seller that sells wine or ale in time of sermon shall pay twenty shillings (Scots), and also all that resort to taverns or ale-houses, and are there apprehended, shall pay ten shillings (Scots), and that this penalty shall be taken from the contraveners of this Act, so oft as they are culpable thereof.

Discipline.—*October 4, 1585.* Ordains Thomas Dundee† and Patrick to compound for their fornication with Dionysius Conqueror, or else to be warded till they found caution to perform their repentance on Sunday. Ordains that none be admitted to the Communion that are fornicators except they have satisfied the Kirk. Ordains John Jack, officiar, to have ane whip in his hand to ding away the dogs out of the kirk, and to snib (punish) the bairns that break the glass windows.

* James Pitlaidy had apparently been chosen to this delectable office on the 5th of July, when it was "ordained" that he was to receive twelve pennies Scots, or one penny sterling, for every head which he deprived of its locks. James, however, was evidently not ambitious of the situation, and having refused to accept, the worthies of the Kirk-Session committed him to prison for contumacy. On the 30th of August 1585, the collection at the parish church door amounted to twelve shillings four pennies (Scots, or one shilling and four-twelfths of a penny sterling), and *ten shillings* of this sum, or tenpence sterling, were paid to Mr Pitlaidy as his "quarter fee" for the shaving the heads of offenders against morality. As to Pitlaidy's professional vocation, it appears that he was a barber-surgeon, and he was also useful in his calling as a kind of medical practitioner. On the 13th of September 1585, the Kirk-Session "ordains Andrew Stoup to give James Pitlaidy six shillings eight pennies (Scots, or 6½d. sterling) in his hand, and another half merk (the same sum) when he has healed the boy he has under (his) care of the glengorr."

† Mr Thomas Dundee had not complied with this "deliverance" of the Kirk-Session, and he was again compelled to appear before them. See the date, 7th November 1587.

Reconciliation.—October 7, 1585. Whilk day it was appointed that so many as were at variance, that willingly would offer their action, in so far as it appertained to the Kirk, to the decision of the Minister and Elders, in case their party adversar would not agree with them, that then they should be admitted to the Communion, and the party obstinate should be expelled therefrom, and excommunicated for disobedience. According to this Act, Robert Blackwood and his faction were agreed with Patrick Ray and his party, upon this condition, that thirty merks (Scots, or L.1 : 13 : 4 sterling) should be given to Robert Blackwood's man called James Reid, and as Patrick Ray and Mr John Howyson drank to Robert Blackwood and his servant,* so it was ordained (that) Andrew and Gilbert Ray should ratify the same at the sight of Mr John Howyson, or any other Minister that occupied his place.

Noted Profligacy.—October 11, 1585. Forsomeikle as George Makchant and Elspith Cuthbert were both apprehended in naked bed together in filthy fornication, upon the 10th of this instant, being the first Sunday of the holy Communion, and of the public fast and humiliation appointed by the Kirk to be holily observed, that God of his mercy might remove this miserable plague from this town, and all other towns within this country, and likewise that the foresaid persons had been put forth in the lodges as suspected of the same sickness, from the which God preserved them to this hour,† and yet nevertheless they have without all fear of God filthily committed the foresaid vice of fornication; therefore the hail Session ordains that the foresaid persons shall be carted backwards through the town from the said Elspith's house, having paper hats on their heads, on Saturday next at ten hours before noon (ten o'clock morning), and thereafter that they be locked fast in the irons on the Cross-head, and there to stand till three afternoon; thereafter to be warded till Sunday, at which time the officers shall convoy them with their paper hats to the public seat of repentance, that there

* This is a curious instance of an old usage or custom long prevalent in Scotland. Mr John Howyson, the Minister, and Patrick Ray, had a *noggin* with Robert Blackwood and his servant.

† This is an instance of the gross immorality which prevailed in the "lodges" by the promiscuous huddling together of both sexes.

they may confess their offence, and ask God and the congregation forgiveness for the slander they gave, and evil example to others to commit the like; and this Act to strike upon all such persons whom the watch apprehends in fornication in time of the common humiliation, or any other time in time coming, that vice may be rooted out of this town, and God may bless it.

A Fickle Wooer.—*December 9, 1585.* Whilk day compeared John Wood, burgess in Perth, and gave in before the Elders ane bill against John Young, tailor, alleging that the said John Young has made ane promise of marriage to Agnes his daughter, upon the whilk, as the common voice of the town was, carnal deall followed, and so, notwithstanding the said John Young intended to marry Janet Mar, it was not lawful nor liesom to do the same by reason of the foresaid promise, desiring the Assembly for God's cause to take order with it; the Assembly, therefore, willing to take trial in this matter, with the advice and good will of John Wood, referred the matter to John Young's oath, (and) he, not being resolved with himself at this present, refused to swear and give his oath; the Assembly therefore granted him license till Monday next to advise with the heads of the bill, and then to give his answer, which he promised to do. *December, 13*—Forsomeikle as John Young took to abide with his oath on Friday last till this day, and now, being charged to give his oath, would not, therefore the Session take till Monday next to advise with the pronouncing of their decret, ordaining John Young's intended marriage to stay (delay) till their decret be pronounced. *December 20*—Whilk day the Session understanding by the several tryall of John Wood and John Young, that there was some conference betwixt John Wood on the one part, and John Young, and his father and his mother, on the other part, anent the marriage of John Young with Agnes Wood; notwithstanding that this day was appointed by the Session for their decret in the foresaid action, yet they (the Session) still demanded of John Young whether he would swear or not that he made no promise of marriage to Agnes Wood, as was alleged by her father. He refused to do the same, but remitted the same to John Wood's oath, who deponed as follows:—That the said John Young made

promise of marriage to Agnes Wood his daughter, before his own father, his brother, and George Wood and John Wood, in John Wood's house; and it was agreed upon that John Young should receive of (from) John Wood with his daughter three hundred merks (Scots, L.16:13:4 sterling) worth of plenishing to his house, and eighteen merks (Scots, or L.1 sterling) out of the house where Marcus Hynd remains at the Brigend; and the said John Young took Marcus Hynd's penny (as pledge) for the yearly payment of the said sum, and gave down to Marcus Hynd two merks (2s. 2d. sterling) of the said eighteen merks. The first part being proven of John Wood's bill (libel), the Session demanded at John Young if he would swear he had no carnal deall with Agnes Wood. He refused also to do it; therefore because the matter was weightier, they took till Monday next to advise with the pronouncing of their decreet, ordaining John Young's marriage to stay ay and until their decreet should be pronounced.—Compeared Christian Justice, daughter to umquhill ——— Justice, and alleged ane bill that John Young had made promise of marriage to her, upon the whilk they had carnal deall together, and she had borne ane bairn to him; yet because she could not prove the promise, but was made under blanket, the Kirk would not acknowledge it, but ordained John Young to appoint with the said Christian betwixt this and this day eight days, at the sight of Mr Thomas Macgibbon and his own father, who promised to do it, and to report an answer this day eight days. *December 27*—The Session ordained John Young to send to John Wood, and to agree with him betwixt this and Monday next, and to report an answer that they might decern in his action, according to the determination of God's Word. And as concerning the matter betwixt him and Christian Justice, because she remitted her part to the discretion of the Assembly, they ordained John Young to give to the said Christian instantly ten merks (Scots, or 11s. 1d. sterling) money, and to take the bairn from her, and sustain it in all time coming, and to bring it up in God's fear.*

* The result of this amorous tailor's case is not known. A chasm occurs in the Register from January 18, to March 7, 1585-6, and no farther proceedings are inserted.

No Intercourse allowed with an excommunicated Woman.—*January 10, 1585–6.* Thomas Monipenny is admonished for the first time to debar Jean Thornton from his company, because she is excommunicate.*

A Lover's Quarrel.—*Same date.* George Low, being demanded why he would not accomplish his marriage with Margaret Gall, seeing the time is past long syne, answered, That if the said Margaret would let him see his gear he delivered to her, he is willing to marry and accomplish his purpose at the sight of the Assembly; therefore the Assembly appointed Thomas Gibson and Oliver Craigie (Elders), to see the gear brought before George Low according to his desire, and they to report their answer this day eight days.†

A Recusant.—*March 14, 1685–6.* Ordains Loncarty, younger, because he has been warned personally at his dwelling, and sundry other places, to compare before the Kirk, whereunto he has obstinately and contemptuously rebelled, that he have no benefit of the law until the time that he makes his obedience unto the Kirk. This likewise to be published openly, and given to the Bailies for this effect.‡

A Penitent Offender restored.—*March 20, 1585–6.* Whilk day was Elspith Chrystie received by Patrick Grant in favour

* On the 8th of November 1585, all persons were warned not to associate with, or receive into their houses, Jean Thornton, Margaret Watson, and Margaret Oliphant, under pain of personal excommunication. Though little occurs respecting Oliver Peebles at this period, he, his wife Jean Thornton, and James Marshall of Pitcairn, were prosecuted in the High Court of Justiciary on the 22d of August 1584, on a charge of high treason, for their connection with the Raid of Rathven, and other alleged offences. The result is not stated.—Pitcairn's Criminal Trials, vol. i. Part II. p. 132.

† The quarrel, however, between George Low and Margaret Gall about the "gear" belonging to the former was irreconcilable, and the Kirk-Session dissolved the marriage-contract on the 11th of April. This woman, who appears to have been a most abandoned person, and the keeper of a common brothel, subsequently figures before the "Assembly" in that capacity. See the date 11th September 1587.

‡ The name of "Loncarty, younger," the son of the then proprietor of the estate of Loncarty, famous in ancient Scottish history for the battle fought on the grounds, was Pitscottie. Though his offence is not stated, it was probably an amour. Mr Scott observes—"Thus was the young Laird of Loncarty outlawed by an edict of the Kirk-Session. Perhaps a Kirk-Session never was guilty of such an exertion of civil power before or since that time." Mr Scott is most erroneous in this conjecture. The Kirk-Sessions carried themselves with a high hand during the years of the Solemn League and Covenant.

of the Kirk again, in presence of the hail people that were presently at the preaching.

An Immoral Precentor and an Ante-Nuptial Delinquent.
—April 11, 1586. Whilk day compeared John Swenton (Master of the Sang School), and confessed his third fault of fornication committed by him with Maige Whyte,* and therefor submits him to the discipline of the Kirk, and confesses the bairn to be his.—Whilk day compeared Patrick Smith, and confessed his fornication committed with Margaret Stewart, and desired, because he was not able to pay the penalty, to dree† his repentance on Sunday next, and the Sunday thereafter to be married, whilk premisses the Minister‡ and Elders in one voice granted.

A Lady insulted on the Street.—April 25, 1586. Whilk day William Niving, webster, being examined and inquired if it was of verity the slander of Marion Rollock on the Lady Monzie, deponed as follows—That the Lady Monzie and he being coming through the Watergate, Marion Rollock, being standing on her own stair, said to the Lady—“Mistress, give me my wort dish again,” and the Lady said—“If I have your wort dish, come to my house and ken (identify) it;” and Marion said—“Perchance ye will cut my rail from me above the rail, as ye have done to others.”§

Slanderers.—Same date. Forasmeikle as John Macwalter and Alison Bruce, his spouse, have been sundry and divers times called before the Assembly for troubling their neighbours, and especially for backbiting and slandering of Robert Dun and his wife, and of Malcolm Ferguson and his wife, and presently are convicted of the crimes laid to their charge by Robert Dun and Malcolm Ferguson, therefore it is ordained, first, that the said John Macwalter and his wife be put in ward until the time repentance be found in them for their

* On the 4th of June following, Maige White was ordered to be “warded” in the Tolbooth until the punishment enjoined by Parliament was inflicted on her for the “third fault of fornication.”

† The Scottish verb *to dree* means *to endure, to suffer, to do penance*.

‡ This Minister was Mr Patrick Galloway, who returned with the exiled nobility and others in October 1585, and resumed his functions at Perth, when Mr John Howyson left the town.

§ Sic in MS., though probably the word *rail* ought to be *tail*. It is impossible to make any thing of the above affair.

slandrous life; secondly, they shall come to the place where they made the offence, and there on their knees crave pardon of the offence committed at the persons whom they have offended; thirdly, they shall pay an sufficient penalty to the poor according to the Act made against flyters; lastly, if ever they be found in word or deed hereafter to offend any neighbour, the bare accusation shall be a sufficient plea of conviction, that so the Act made against flyters be extended against them, and finally to be banished the town for ever.

Delinquents cited.—May 23, 1586. Ordains the Bailies to cause the adulterers and fornicators given them in bill (libel) either to be warded, or else to find caution to compear before the Assembly on Monday next.

A Summons.—June 4, 1586. Ordains William Ross at the Charterhouse yett (gate) to answer on Monday next for his woman. Ordains that every Elder search and inquire in his own quarter if there be any offenders, especially fornicators and slanderers, again their going about the town on Thursday after the preaching.

Another Female Delinquent.—January 30, 1586-7. Compears Janet Kay, (and) grants that her last bairn's father was an Highlandman called Duncan Mactaggart, and confesses the bairn to be in (a) town called Pitlochry. Ordains her to be warded till she find caution to bring a testimonial from the Minister of the parish that the bairn is alive, and that she has fulfilled her repentance.

A Sabbath-breaker.—February 6, 1586-7. John Bog, being accused of breaking the Sabbath-day and mispersoning of his Magistrates, confesses the same; therefore he is first convicted of the penalty according to the Act anent the breakers of the Sabbath; secondly, for mispersoning of his Magistrates, to be warded ay and until he by humility require himself to be released; thirdly, to be warded till he satisfy the contract for reparation of the kirk.*

* John Bog's affair, so far as "mispersoning" or insulting the Magistrates is concerned, seems to have originated in connection with the repair of St John's Church, which, on the 27th of June 1585, was declared by the Kirk-Session to be in a most "ruinous, pitiful, and lamentable state," and the Minister was requested to preach a sermon and obtain a collection for the repair of the fabric.

Children not to be brought for Baptism till after the Sermon.—*March 6, 1586-7.* Ordains that no bairns be fetched into the kirk in the time of preaching, but to be holden in some secret place until the preaching is ended, and then to be presented to the Minister to be baptized, for avoiding of the tumult of the incoming of the people with them, or of the outgoing of the people for them; also for avoiding of the crying of the infants and bairns which make din in the time of the preaching, so that others, in looking to the bairns and people with them, are stopped from hearing.

Unmarried Sisters not to live together.—*March 20, 1586-7.* Ordains the two sisters Elspith and Janet Stewart, that they be not found in the house again with their sister, but every one of them shall go to service, or where they may be best entertained without slander, under the penalty of warding their persons, and banishment of the town.

A Family Arrangement.—*May 1, 1587.* Ordains James Walker to take two bairns from his wife and sustain them in bed and board; and for the furnishing of his wife and the other bairn to give her weekly forty pennies (3d. sterling) and forty shillings (3s. 4d. sterling) yearly for her house meill at two terms, or else adhere unto her as his wife.

A "Fair Maid" restored.—*June 12, 1587.* Ordains the form that has been used before in restoring persons excommunicate be used with Margaret Oliphant, and on Sunday next it shall be publicly proponed if there be any persons who know of any misbehaviour either in life or manners since her entrance to the seat of repentance.

An Idle Husband.—*June 21, 1587.* Elspith Cuthbert gave in a complaint on Malcolm Denis, because he entertained her husband in his house, and suffered him not to come to his own house neither night nor day, nor to entertain his wife and house(hold) as he should do, which was found to be very evil done; therefore the Ministers and Elders ordained the said Malcolm never to suffer him to come in(to) his house, nor entertain him any way to draw him from his own house. And in case he be found to contravene the same, and to fall in the said fact in times coming, he shall pay an penalty according as the Ministers and Elders shall appoint.

A Sabbath-breaking Baker.—*July 17, 1587.* William Shepherd, baxter, being called and accused for breaking of the Sabbath-day, confessed the same, therefore he was denounced in the penalty; and it was ordained, if ever he be found to set out his bread to sell in time of sermon, or any other time on the Sabbath-day, he shall be punished therefor in his person, and the Act made anent breakers of the Sabbath to strike upon him with all rigour; and this Act to strike on all others who shall be found breakers of the Sabbath in times coming.

A "Fair Maid" on the Repentance Stool, and her Attendants.—*Same date.* Ordains Margaret Oliphant* to enter on Thursday next to the repentance stool in sackcloth, and continue four days in that form till she be received; and to stand at the kirk door until the third bell and prayers be ended in the said sackcloth, and the Elders of every quarter† (of the town) to await on her, and convoy her to the said repentance stool.

A Counterfeit Proclamation of Marriage.—*July 31, 1587.* David Baxter being inquired of whom he had gotten the testimonial of the proclamation of his banns, declared in presence of the Minister and Elders that he got it not from the Reader, nor knew any thing thereof till the night before his marriage, when he declared to Margaret Ruthven that if she would not get her testimonial, he would in no ways marry her if she would not be ready that night, so that all might be performed on the day after. She declared she was as ready as he was, and gave him this testimonial, which he neither knew, nor of whom she had received the same. *August 8*—Ordains Margaret Ruthven to be warded, and to be retained in ward, ay and until she declare the writer of the feigned testimonial of these banns.

* See the note to the date, 10th January 1585-6, and the date, 12th June 1587.

† Perth under the new system was divided into four districts, each of which was represented by three Elders, much in the same way as the "wards" for the election of Town-Councillors in the Burgh Reform Bill. The districts in Perth were the "north side of the Highgate," the "south side of the Highgate," "beneath the Cross and Watergate," and the "Southgate." The "Highgate" and "Southgate" indicate the North Street, or High Street, and the South Street.

Sunday Trading.—*August 8, 1587.* Ordains the Sabbath-day to be kept, especially in the mills, fleshers' booths, baxters' booths, and bakehouses, under the penalty contained in the Act of Parliament against the transgressors of the same.

A Confession of Frailty.—*August 8, 1587.* Compeared Marion Webster, and confesses her adultery with Alexander Chalmers, spouse to Isabel Monipenny, whose first carnal deall was ane month after Pasch, when the said Isabel was absent visiting some of her friends the space of three days, and likewise that he had carnal deall with her all the said space of his wife's absence, and never before that time, and once since syne, at which time his wife apprehended them, and took them in the fact. Therefore she was ordained, after due trial of her fact confessed by her own mouth, to be carted about the town, having on her head a mutch (cap) or capuch, having written on the margins thereof her fact and crime, and at last to be banished the town for ever.

A Sabbath-breaking Boatman.—*August 13, 1587.* Ordains William Leassels, boatman, and his companions, how soon they come to town, to be warded, because, against the ordinance of God and the Kirk, and the King's Acts, he did in time of preaching on Sunday afternoon loose his boat, to the great contempt of God and His ordinance; therefore ordains him to be warded, and to pay ane penalty to the poor, for an example to others not to contravene the same in times coming.

A Profane Swearer.—*Same date.* David Innes being found an filthy speaker, to the blasphemy of God's name and ignominy of this reformed congregation, it is ordained, if he be found so irreverently in times coming to speak of God and His holy name, that the said David shall be banished the town for ever.

Sabbath-breaking Millers.—*September 11, 1577.* Forasmeikle as the multurers have been divers and sundry times charged to compear before the Assembly for permitting their servants to occupy (work) on the Sabbath-day, as well as on the rest of the week, and to hold their mills going to any that resorted to them, expressly against the Law of God, the Acts of Parliament, and Ordinances of the Kirk made thereanent; and though Dionysius Conqueror with John Anderson duly

appeared, and declared that for their parts they were willing to have the Sabbath-day kept, and promised that the ordinance should be obeyed, yet every Sabbath-day they (the millers) are found to continue in the said offence, to the dishonour of God, contempt of the King's laws and ordinances of the Kirk; therefore the haill Elders ordain that if after this day they be found on the Sunday to have their mills going, and if the haill office men come not to the kirk, they shall be punished, and the penalty taken up from the contraveners according to the Act of Parliament; and this to be taken up from every person contravening the said Act; and likewise the millers and office men at Balhousie and Craigie to be under the like censure.

An Inveterate Offender.—*Same date.* Forasmeikle as Margaret Gall* has been called sundry and divers times before the Assembly for sundry and divers bruits (reports) raised upon her by the neighbours about her, upon suspicion of carnal copulation heard, and fornication confessed with sundry resorting to her house, and there abiding all night; and now, in special, for more open and slanderous behaviour, since the separation between her and John Low,† with whom she had confessed fornication, with John Pilmour, with the Laird of Ruthven, and Thomas Menzies, as is proven by honest and famous neighbours, called, sworn, and admitted in that purpose, viz. that the Laird of Ruthven, John Pilmour, and Thomas Menzies, continually at their being in this town did resort to her house in day-light and at even, and then not come out until the morning at eight, nine, or ten hours; and especially that the Laird of Ruthven was found at ten hours before noon in her bed there lying, which was very suspicious and slanderous, and greatly cried out against by the haill honest and godly neighbours as most filthy; therefore the Assembly declare that the said Margaret now has given just occasion of slander of fornication, and merits condign punishment therefor, by public satisfaction, for taking away of the slander. Nevertheless, seeing their mind is to win her by repentance unto God, and having hopes of her amendment, they ordain to

* See the date, 10th January 1585-6. This was the female who refused to return the "gear" of George Low, to whom she was under contract of marriage.

† This man is named George Low, under date 10th January 1585-6.

admonish her now, as of before, to abstain from all sic like occasion in time coming, either with these men or with others, under the pain which is appointed for those that relapse thrice in fornication; certifying her that, if she be found hereafter so suspiciously and ungodly to behave herself, she shall be compelled to satisfy as an adulteress and convict in adultery, and banished the town for ever. Also ordains her to frequent the kirk at preaching and prayers, and in special to keep the Sabbath-day better than she has done, under the pain of censuring according to the Acts of the Kirk and the Acts of Parliament; which present admonition she thankfully received, accepted, and consented to the premisses, promising to use herself in all things as a regenerate Christian.*

A Maniac.—*Same date.* Forasmeikle as Bessie Glass, alias Kisunie, relict of umquhile William Fenton, has been sundry and divers times called in before us for her dishonest and shameful behaviour, for speaking bawdrie and uncomely language, for singing of filthy and ungodly songs and ballads, for dancing and beeking† on the streets before noble gentlemen and women resorting to the town, for coming to their lodgings, and there most shamefully abusing herself, contrary to the duty of a godly or well reformed woman and member of this congregation, and for not behaving herself in any good calling, but rather in scoffing and beggary, by her inordinate jests, contrary to the command of God and his Kirk; as also, last, more especially (she) has in the mercat-places of the town, and all other places where she did frequent in her skoffrie, unnaturally and ungodly injured and defamed, so far as lay in her, Mr George Ruthven with many and divers opprobries and slanders, sufficiently proven by honest and famous neighbours within this town, called, sworn, and admitted to testify in that cause, which is found very untruly and dishonest, to the great contempt of God and of His Word, and greatly cried out

* Mr Scott remarks on the case of this "regenerate Christian," that it is "an instance of great mildness towards one who was certainly a notorious offender. Though there seems to have been no direct proof of her being actually guilty herself with the three men above mentioned, yet it was at least plain that she kept a disorderly house, and on that account deserved a public rebuke."

† Curtseying, from the verb to *beck* or *make obeisance*.

against by the haill godly neighbours of this town. In respect of the which premisses the Assembly present thinks and agrees that the said Bessie has given great occasion of slander to the Kirk of God, and merits condign punishment therefor, and ordains the Act made against flyters with all rigour to be put in execution against her; as also, if ever in time coming she be found so to behave herself unshamefully, and shall be apprehended (for) contravening this Act, she shall be taken to the Bailies of the town, and for an example to others not to do the like, most rigorously to be punished; and, last of all, to be banished the town for ever.*

A Matrimonial Reconciliation.—October 24, 1587. The Minister and Elders, having respect to the good love and amity there should be betwixt a man and his wife, especially betwixt Alexander Paterson and Janet Dun his spouse, appoint Andrew Moncrief, Patrick Oliphant, and Andrew Anderson, Elders, to confer with them, and make them to agree; and whatever ilk one of them (Alexander Paterson and Janet Dun) should do to the other shall be appointed by them the said Elders, and they to report their answer on Monday next.

A Disobedient Son.—October 30, 1587. Ordains Andrew Moncrief (and) Patrick Oliphant, Elders, to speak with John Ruthven, merchant, anent the entertainment of his mother, and they to report their answer on Monday next.

Scolding.—November 7, 1587. Whilk day the Minister and Elders of the burgh of Perth for the time, being convened within the revestry of the same, understanding that they have been sundry and divers times troubled with flyters and slanderers of their neighbours, and for order taken with them in times coming, ordain that all persons whatsoever within this burgh, or parochin of the same, as well to burgh as to

* According to Mr Scott, the "persons who amused themselves with the shameless woman above mentioned, disgraced the times in which they lived, and the human nature in general, with however much wit and humour her words and gestures might be accompanied." Mr George Ruthven, who was "slandered" by this woman, is one of the two *cronies* prominently noticed in Adamson's Metrical History of Perth. Bessie Glass was again under the cognizance of the Kirk-Session on the 21st of October 1588, when she was ordered to be "put to an assize, to inquire of her if she be ane woman worthy to dwell within such ane reformed congregation."

land,* being called, accused, and convicted in the offences of flying or slander, shall be apprehended by the Bailies whatsoever for the time, and on the Saturday immediately following the day and date of the decreet against the slanderer and flyter being apprehended, they shall be put upon the cock-stool† from ten hours afternoon until twelve, therein to remain, with the branks‡ in their mouth, and not to come down till the foresaid two hours be justly expired and past, and thereafter to pay ane half merk (6d. sterling) to the poor, and also (to) find caution to compare in the seat and stool of repentance, there to confess their offence publicly, in presence of the hail congregation convened in time of preaching, and to come thereafter from the seat and stool of repentance, and humbly on their knees crave the person or persons offended pardon and forgiveness.

A Fast for eight Days.—Same date. Appoints an Fast to begin on Saturday next, and to continue until Sunday eight days thereafter at even, with great humiliation, and prayer to God that it would please Him to remove the plague of the pest from the towns of Edinburgh, Leith, &c., and to preserve us therefrom; as also to preserve us from the pest of the soul, which is Papistrie's ignorance maintained presently by thir Jesuits and Papists now come in,§ who press to bring men under the thralldom of idolatry and ignorance, and from the true knowledge of Christ our Saviour, revealed to us in His Word, and to embrace their superstitious rites and ceremonies,

* The parish of Perth, which includes the town, is about four miles from south to north, and the greatest breadth from east to west is nearly three miles, the Tay forming the boundary on the east. The Kirk-Session claimed jurisdiction over the "landward" or rural districts of the parish.

† The cockstool indicates the pillory.

‡ The *jugs*, or iron collars, placed round the necks of those who were compelled to stand in the parochial or burgh pillory. The *branks* or *jugs* are still to be seen at the entrance to some of the parish churches and churchyards in Scotland.

§ In 1587 a number of learned Roman Catholic ecclesiastics, who were Scotamen by birth, and some of them connected with the most ancient and Noble families of the kingdom, arrived in Scotland from Spain, and dismayed the Presbyterians. One of the so called "Jesuits" was James Gordon, uncle of the Earl of Huntly, and another was Edmund Hay, brother of Peter Hay of Megginch, and a near relative of Francis ninth Earl of Errol.

from the which the Lord preserve us! And ordains this to be notified from the pulpit on Thursday next, that none incur ignorance hereof, that every one may address them(selves) to fasting, prayer, and humiliation at the time appointed.

A Delinquent's Sentence commuted.—November 7, 1587. The Minister and Elders present in one voice consent that Thomas Dundee,* first, in respect his fault was done in the time of the pest; second, that he is ane married man presently; third, because great slander would arise as if he had done a new fact; fourth, that in that time, when the fact was done, dispensation was given for money, because men durst not put themselves on the stool of repentance for fear of the pest—the said Thomas shall for these causes pay the penalty of L.4 (Scots, or 6s. 8d. sterling) herefore, and in case the Kirk be slandered herefore, he is ordained to be ready to do his obedience when the Kirk requires, and presently he is ordained to be put in ward until he satisfy the same. Ordains the Bailies to speak (admonish) Walter Dalglish to pay his civil punishment, to enter on the stool of repentance, and to bring a testimonial that his bairn is baptized, which failing, the Minister on Sunday next shall give the first admonition before his excommunication.

A Denunciation.—November 20, 1587. Forasmeikle as God by his holy Apostle John commands that if any man come to the faithful, and bring not the doctrine of the truth with him, he shall not be received in house, neither shall any bid him God-speed, for he that bids him God-speed shall be partaker of his evil deeds; yet, notwithstanding, there are sundry persons of this congregation that receive in houses Jesuits, avowed enemies to God's truth, and Papists, reasoners against the truth, infectors of others, excommunicate, and traffickers, for the subversion of the true religion, keeping familiar society with them, contrary to God's command, and to the great slander and infection of this congregation, where the truth first began in this kingdom to be published, and to the subversion of the gospel and true religion betime, unless order be put thereto speedily; therefore the Minister and

* See the date, 4th October 1585, for Mr Thomas Dundee's offence.

Elders in one voice ordain that none within this congregation receive in house or lodging any such Papist or Jesuit in time to come, neither use any familiar society with them, till first they advertise the Magistrates and the Minister and Elders of them, that orders may be taken with them in their proceedings, and may be moved either to recant their errors and subscribe the Confession of Faith* authorized and statute by the King's Majesty, or else suddenly to depart the town, under the pain of being counted favourers of them and their ungodly proceedings, and partakers of their errors, and of being called and pursued therefor as enemies of God's truth, and of being compelled to make their humble repentance, and of being subjected to farther punishment of their ungodly doing, and this Act to be published by the Minister in pulpit the next Sunday after sermon, that none pretend ignorance; as also Adam Anderson and Andrew Malcolm, Elders, are ordained to present it to the (Town) Council to be authorized there, and thereafter to be published at the mercat-cross upon the mercat-day to the effect foresaid—which all was done.

Strict Vigilance.—*December 4, 1587.* John Davidson, younger, being found through great advisement of the Elders, as also by the voice of the common people, to be slanderous to the kirk of this reformed burgh; and being called herefore, is ordained to separate himself from the company of Marion Pennycook, with whom he is presently suspected, especially from his mother's house in the night, where she presently remains, ay and until they be married, or else to incur the punishment appointed for fornicators, which he promised to do.

St Obert's Play.—*December 11, 1587.* Ordains these baxters that on Saturday last at even played Sanct Obert's play to be warded, whenever they be apprehended, ay and until they give their obedience for satisfaction of the Kirk and congregation.

A Sabbath-breaking Gate-Keeper.—*February 26, 1587–8.* Compeared William Kinloch, porter of the Brig-of-Tay port, being accused for breaking of the Sabbath-day, especially for

* This was the Confession of Faith, compiled by John Craig, the colleague of John Knox as Minister of Edinburgh, and subscribed by James VI. The original is in the Advocates' Library, Edinburgh.

inletting of loads on the Sabbath-day, and time of preaching, he confesses with his own mouth that divers times he has broken the Sabbath-day by inletting of loads of fish and burdens at the said port, contrary to the Acts made thereanent of before: therefore the Minister and Elders bot (without) contradiction find him culpable, and worthy herefor to be deposed from the said office for ever. And seeing they are not willing to reject him utterly, but hope he shall keep better order in times coming, notwithstanding of the Acts passed before in his contrair, they suspend their rigour at this present, in hopes of his amendment, and ordain him in times coming neither to receive any loads on the Sabbath-day within the port, nor procure licence for any at the Bailies' hands for the inletting of them; and in case he be found to contravene the same in times coming, he shall be deposed from his office for ever.*

A Matrimonial Speculation dissolved by the Kirk-Session.—
March 4, 1587–8. Whilk day James Brydie, walker (hatter), being oftentimes called before us, compeared as cautioner for John Adam, one of the parochin of Kinnoull,† for the fulfilling of the band of matrimony within forty days, according to the Act, with Elspith Wilson, one of our parochin; and seeing that the said John Adam has not done the same, and the fault of the non-performance of the same was in him alone, never inquiring for the performance hereof from the day of the contract, (the Kirk-Session) convicts the said James Brydie in the penalty, and ordains him to be warded ay and until he satisfy for the same. And seeing that the said John Adam postpones and defers the time, not willing to perform the band given up by him with the said Elspith; and seeing likewise he has divers times abstracted gear from the said Elspith under pretence of marriage, and so defrauds her both of the promise made, and likewise of the gear, therefore the Minister and Elders advising ripely, and being well advised, thought it hard that thir two should be married together, in case great inconveniences should follow thereon, themselves be brought

* Notwithstanding this denunciation, William Kinloch was "purchasable." See the dates, 17th March 1588–9, 27th September 1591, and 22d May 1592.

† The parish of Kinnoull, in which is the suburb called the Brigend, extends opposite Perth on the east side of the Tay. It includes the magnificent Hill of Kinnoull and other interesting localities.

to poverty, and have nothing for their sustentation, and so be made able to steal and reive from their neighbours, to redound at last to their shame and infamy. They being both present, the Minister and Elders required of them whether they would perform their contract given up or not. Both John and Elspith with one consent desire them to be freed of other, so that, as God pleases, they may use themselves in times coming according to their pleasure, always being free of their promise, so that they may marry whom they please; to the which petition the Minister and Elders, for the causes foresaid, agreed, and therefore did discharge their contract with their own consents. At which time John Cudbert, wright, satisfied the penalty as cautioner for the said Elspith for not fulfilling their band, and ordains that John Adam be warded ay and until he satisfy the money and gear received by him from her; and James Brydie likewise to remain in ward ay and until he satisfy likewise, as they have done.

Tyranny of the Kirk-Session.—*March 4, 1587–8.* Whilk day William Fleming, being called before the Assembly for resetting, giving lodging and entertainment, and convoying, of the Laird of Fintry, an enemy of God and religion, an avowed Papist and Jesuit, excommunicate for the same, ane common trafficker for the subversion of the true religion, which was against the command of God, and expressly against the rule of His Word, and likewise against the Acts made by the King's Majesty, and Assemblies General and Particular, especially against the Act of our own Assembly (Kirk-Session) published from the pulpit and Cross of this burgh. Being herefore accused, answered, that neither for contempt of God nor no good rule, or Act made by the King or Kirk, he did the same, but rather of negligence, because he was in company with the Earl of Huntly, and received with his concurrence; confessing the same to have been an fault, and promises never to do the like in times coming; and in case he be found to contravene the same in times coming, the penalty contained in the Act to strike on him, all excuse being put aside, which fault the Minister and Elders oversee at present, in hopes of amendment.*

* William Fleming, the gentleman denounced by the local tyrants for showing hospitality to George sixth Earl of Huntly, afterwards Marquis of

A Refractory Incorporation.—April 5, 1588. Whilk day the haill Fleshers being called before us, and accused for breaking the Sabbath, and for being profaners of the Lord's table, swearers and banners, and common bargainers, all confessed themselves guilty hereof. And because the Minister and Elders perceived them who were obstinate, especially Andrew Johnston, and all the rest of the Craft to intrust themselves to the will of the Minister and Elders, therefore the Minister and Elders suspended the judgment and rigour of the sentence which their faults required at this present, in hope of amendment. And in case any of them be found to contravene in times coming, the Acts of Parliament anent such offences with all rigour shall be extended upon them, and that as oft soever as they be found culpable of the same.*

The Perth Midwives.—October 28, 1588. Whilk day the midwives being convened, viz. Marion Russel, Margaret Stewart, and Mause Johnston, they promised by oath that they never should be at the birth of any woman known to be suspected of fornication or adultery, but should reveal the same to the Eldership; and likewise promised never to touch such an woman till on her conscience she declared who is the bairn's father.†

The Coddrochs.‡—November 11, 1588. Forsomeikle considering the great slander that arises of young women taking up houses, and dwelling together as coddrochs and common

Huntly (the same who killed the "Bonnie" Earl of Moray at Dunibristle in Fife), and Sir David Graham of Fintry, is alleged to have been related to the Lady of Lord-Chancellor Maitland, who was Jane, only daughter of James fourth Lord Fleming. Mr Fleming was the son of Thomas Fleming, burgess of Perth, and Margaret Forrester his wife. Sir David Graham of Fintry was beheaded at the Cross of Edinburgh on the 17th of February 1592-3 on a charge of treason.

* The Fleshers were again before the Kirk-Session, and rebuked for their disorderly conduct, on the 15th of April; and on the 21st of January 1588-9, Henry Balneaves, their "Deacon," who was elected the Trades' Bailie on the 6th of October 1589, was ordered to confer with Mr William Balneaves, the "Reader," and to present every Monday to the Kirk-Session the names of those Fleshers who were not present at the sermon.

† This cruel and most inhuman "Act" is disgraceful to the Kirk-Session.

‡ A *codroch* in Scottish *patois* is a rustic, and also a dirty or slovenly person, evidently the same as *codderar*, or disorderly persons who locate themselves in a neighbourhood without permission.

resetters of honest men's servants and their gear, it is ordained that no honest man set (let) them an house without advice of one of the Bailies and Elders to be publicly allowed, under the pain of the house-mail to be given to the poor; the persons as coddrochs taking up house to be holden and repute as fornicators and entertainers of brothels, and punished as fornicators.

No Sunday Drinking.—*Same date.* It is ordained that no inhabitant within this burgh, chiefly taverners, or toppers of wine and ale, receive or keep within their houses on the Sabbath-day any person or persons, stranger or inhabitant whatsoever, in time of preaching or sermon, under the pains contained in the Acts of Parliament, Acts of Burgh, and ordinance of the Kirk, assuring them, whosoever they are, that contravene the foresaids shall be punished as example to others.

Servants to produce Certificates of Character.—*Same date.* The Minister and Elders present ordain that no person or persons within this burgh, householder or other, receive into their service or house any man or woman out of any town or congregation without a sufficient testimonial of their godly and honest behaviour, in time past, from the Minister of the part where they come from. And seeing there are sundry harlots and filthy livers, entered in this town in service, fugitives from the discipline of the kirk wherefrom they are come, it is ordained that every man try his own house where any such is, and delate their names to the Elders of the quarter, or to the session of the kirk, certifying them that disobey in the premisses that they shall be punished according to the Acts and ordinances set down before for punishment of such crimes.

Sabbath-breakers.—*December 10, 1588.* Ordains Andrew Anderson, webster, to pay ten shillings (Scots, or 10d. sterling) because the Sabbath-day was broken in his house by his wife in warping ane web thereon, and his wife to put herself in the repentance seat on Sunday next for the same.

An Unnatural Mother.—*January 13, 1588-9.* Compears Nicholas Brown, after long inquisition heard and taken of her negligence and sloth toward her young infant and bairn, of herself freely confessed that the bairn perished through her negligence; therefore she is ordained on Sunday next in

linen clothes to make her repentance herefor, and in time of preaching to be put in the repentance stool.

An "Elder" again in trouble.—*January 13, 1588–9.* Whilk day Oliver Peebles, being called, and upon his conscience inquired, as he would answer to the great God, if the bairn that Jane Thornton was with was his, and that because of open and constant confession of the same, especially in her birth, and to the Readers and Elders that were sent to inquire the same of her after her birth, besides the great bruit of the same. He (Oliver Peebles) took it on his conscience, saying—“So may not his soul be saved at the latter day if he made such occasion.” *January 21, 1588–9*—Compears Jean Thornton, confessing her former faults in terms as is before set down in the books of Assembly, and now of new confesses the fact of adultery with David Ochterlony, servitor to the Earl of Crawford for the time, who had carnal deall with her sundry and divers times; and likewise confessed* that she had never carnal deall with Oliver Peebles (her husband) after the Lords came out of England into Scotland.

A Dispensation to a Delinquent.—*March 3, 1588–9.* The Minister and Elders present in one voice consent that Patrick Boner, first, that in respect his fault of fornication was committed in (the) time of the pest; second, and that he is ane married man presently; third, because great slander would arise if he had done an new fact; fourth, that in time of the pest† dispensation was given for money, because men durst not present themselves in the stool of repentance for fear of the pest; therefore, for all these reasons the Minister and Elders consent and ordain that he shall pay the penalty of L.3 (Scots, or five shillings sterling) herefor; and in case the Kirk be slandered through this his fact, he is to be ready to make obedience when as the Kirk requires, and presently ordains him to be put in ward until he satisfy the same.

Sunday Profanation and Beggars.—*March 17, 1588–9.* In respect the Sabbath-day is broken by such as carry loads

* The confession intimates that this abandoned woman was living in a state of separation from her husband. It appears from the date 21st October 1589, that Mrs Oliver Peebles was cohabiting with, or was protected by, Thomas Monipenny.

† See the date, 17th July 1585.

through the stanks,* as beggars strong and idle, and malefactors, who have egress and ingress according to their pleasure, ordains that it be intimated to the (Town) Council that they may take order therewith. As also concerning William Kinloch, keeper of the Brig of Tay, that lets in beggars and others foresaids for recompence, some eight pennies (Scots, or one halfpenny sterling), some more; first, it is reported that he has suffered divers beggars to enter within the town, for payment to him of contribution, as is confessed by the beggars themselves; second, as also that he has taken in certain loads on the Sabbath-day, contrary to the Acts; therefore ordains the (Town)-Council to take order therewith. *Same date*—Seeing this town is overlaid with strong, idle, and uncouth beggars, abstracting by their continual residence the fund and alms that fairly belong to our own poor members born and gotten within this town, so that they able (are likely) to starve for hunger in case remedy be not provided incontinent, it is ordained that no inhabitant within this town receive any of them in lodging, nor give them alms, except to these only that have the Holy Lamb, the town's mark and token on their breasts.† And that none pretend ignorance, appoints John Jack on Thursday next to go about the town and make this known to the haill neighbours, that none have excuse in case they contravene.

The Shipwrecked Spaniards.‡—May 18, 1589. Ordains the porters (gate-keepers) to suffer no Spaniards, nor no other idle vagabonds or beggars whatsoever, to come within the town, and these that are presently within the town that incontinent they go furth of the same, and dispatch § themselves.) And in case the porters let them in, that they (the porters) shall be *simpliciter* deprived of their office, because they have been divers times admonished for keeping of the

* Ditches. When the gates were shut, those persons contrived to enter the town by wading through the water-ditches which environed the walls.

† Privileged or licensed beggars. The Arms of Perth since the Reformation are an imperial eagle displayed, the heads looking opposite ways, and on its breast an escutcheon with the Holy Lamb passant carrying the banner of St Andrew.

‡ Some of the crews of the Spanish Armada who were wrecked on the Scottish coasts.

§ They were to leave the town.

ports. And in case any receive or lodge any Spaniards or beggars as said is, being let in by the sloth and negligence of the porters, they shall pay the penalty of twenty shillings (Scots, or 1s. 8d. sterling) for ilk person of Spaniard or beggar received. And, that none pretend ignorance, ordains John Jack, officiar, to intimate the same to the porters, and these that have entertained them of before.*

Banishment from the "Fair City."—May 18, 1589. Compears Christian Bray, and desires her bairn gotten in fornication, as she confessed, with William Baxter, servitor to my Lord Drummond, to be baptized, which was granted; and seeing she is an poor creature, unable to sustain herself in ward, it is ordained that after the bairn be baptized she shall be banished the town for ever. June 2, 1589—Ordains Janet Macduff to be taken and presented on the Cross-head on Saturday next, there to remain fast in the irons from ten hours forenoon until twelve, with an mitre† on her head and writing of infamy, thereafter to be banished the town for ever; and in case she be found in the town again, to be burnt with the town mark on the cheek. And if any neighbours receive her in lodging in times coming, or any otherwise to entertain her, they shall pay forty shillings (Scots, or 3s. 4d. sterling.)

Extraordinary Liberty.—June 2, 1589. The Minister and Elders give licence to play the play, with conditions that neither swearing, banning, nor one scurrility be in it, to be an offence to our religion which we profess, and an evil example to others. And in case any be in the same, or any person add any of the same, by the register of play itself, ordains him to be warded, and make his public repentance.

A Denial.—June 30, 1589. Whilk day being assigned to James Rattray in Tirsappie to give in his oath if ever he had promise of marriage to Helen Watson, daughter to John Watson there; he being present, and by incalling on the great name of God, inquired, as he would answer to God, or have

* Mr Scott properly observes—"The barbarity of the above Act disgraces the memory of the members of (the Kirk) Session at that time, though perhaps they might have been found fault with by some blind zealots if they had not made a show of want of compassion for the poor wandering shipwrecked Spaniards."

† Sic in MS.

his soul saved in the day of the Lord's judgment, if ever he made any promise of marriage to the said Helen: by the same oath he answered, as he would make an compt to God, he never made any promise of marriage to her at no time. Therefore, seeing this day was assigned to give in his oath, by reason of his purgation of his word and promise, if aught had been, he is absolved *simpliciter* of the same.

A Suspected Nobleman.—*July 28, 1589.* Forsomeikle as there is an great bruit and slander arisen within this town of the uncomely behaviour of Janet Justice, that is to say, that she is an common pandrouss betwixt my Lord Sanquhar* and Margaret Ireland, now presently in Henry Adamson's house, beside the great suspicion of herself with the said Lord or his servants, by resorting there at ten, eleven, or twelve hours at even, which is uncomely, and greatly cried out against by the hail neighbours of this town. She, being called, compeared, and being inquired if she was pandrouss as said is, confessed that by my Lord Sanquhar she was desired to go to Margaret Ireland, that he might have conference with her, which she refused; and as touching his resorting to her house the times and hours foresaid, granted the same, but upon no evil intention, but because she was his laundress. Therefore the same being thought very suspicious in her person, she was commanded and admonished not to use such things in time coming, nor to have her house open to any persons at such times in the night, nor use no suspicious company, otherwise it should be holden and repute as fornication, and she as an fornicator to be punished.

A Female Quarrel.—*August 4, 1589.* Forsomeikle as Margaret Maclaren, spouse to James Stobbie, burgess of Perth, is found culpable and convict of the slander given in

* Robert sixth Lord Crichton of Sanquhar, then a young man and unmarried, was proprietor of the lands and barony of Kinnoull. The Lords Crichtons of Sanquhar were ancestors of the Earls of Dumfries and Bute in the Peerage of Scotland, and Marquisses of Bute in the Peerage of Great Britain. The Nobleman mentioned above in the Kirk-Session Register was executed on the 29th of June 1618, in Palace Yard, Westminster, for killing a fencing-master named Turner, and his estates and honours devolved to William Crichton his cousin-german, son of John Crichton of Rayhill, who was created Earl of Dumfries on the 10th of June 1633.

by Margaret Robertson, spouse to John Spence, litstar (dyer), burgess of the said burgh, and seeing she merits condign punishment therefor, and that the Act of Slander should be put in execution with all severity against her, yet the Minister and Elders, with advice and consent of the said John Spence and his spouse, suspend the rigour of the said Act, and ordain the said Margaret Maclaren upon her knees, in presence of the Minister and Elders, to ask the said John Spence and his wife pardon and forgiveness, and likewise on her knees afore her own house, the place where she uttered the slanderous words, to do the like. And in case hereafter she be found to slander the said John and his wife, or any of the servants, and the same be notified to the Minister and Elders, the Act made anent flyters and slanderers with all rigour to be put in execution against her.

An Incurrible Gate-Keeper.—August 11, 1589. Whilk day William Kinloch, keeper of the Brig-of-Tay port, being called and accused for inletting of loads on Sabbath last, contrary to the Acts of the Kirk, and his admonitions given him afore,* confesses that on Sunday last, at the second bell aforenoon, he came to the kirk with his friend to his marriage, yet at the last bell he left the keys with his bairn at home, which were taken from his bairn by an servant of my Lord Drummond's,† who took in timber by (without) his knowledge. This his answer being considered, he is thought not worthy of his office, and therefore *simpliciter* for ever to be deprived, seeing no amendment can be in him after so many admonitions, and appoints Robert Anderson, James Adamson, and Thomas Gall, to intimate this Act to the (Town) Council on Monday next.

Abstraction of the Bell Rope.—Same date. Whilk day Nicol (Ronaldson), bellman, being called and accused for not ringing the curfew and workman bells at eight hours at even and four hours in the morning, according to the custom and use, answered, that David Mar had taken away the tow (rope)

* See the date 26th January 1587-8 for an instance of William Kinloch's delinquencies on Sundays.

† Patrick third Lord Drummond, whose son James fourth Lord was created Earl of Perth on the 4th of March 1605.

to the Bridge of Earn; therefore ordains Robert Anderson and James Adamson to intimate the same to the (Town) Council, to cause the said David hing up the bell tows again as good and sufficient as they were when he took them down.

The Duty of the Bailies.—Same Date. Seeing there are many and divers enormities done in time of preaching, within the kirk and about the same, with bairns playing and crying in time of preaching in the kirk-yard, it is ordained that the Bailies keep their own appointed seats on the preaching days, that the Minister may intimate to them such things as are to be done; and, in case they be absent, to be nominate by their names to come to the same the next day, and then in case of absence publicly to be reprov'd. And likewise that the officers wait on the Bailies, and keep the preaching time as said is, otherwise to be puinded as breakers of the Sabbath, as an example of all others (not) to do the like.

A Brewer in Fault.—Same date. Forasmeikle as Robert Brown is found guilty oftentimes of breaking the Sabbath day, and that with burning, tooming (emptying), and filling of the same, and of doing so especially on the Sunday, and being accused herefore, promises in times coming to amend, and, in case he be found doing the like in times coming, with his own will promises to pay L.10 (Scots, or 16s. 8d. sterling.)

Another Sabbath-breaker.—September 15, 1589. Forasmeikle as William M'Dill, son to Andrew M'Dill, an burgess of Perth, being accused of breaking and overlcaping the Greyfriars' dyke in time of preaching, to have access to the butts* by all kind of good order, and especially at such time when the rest of the town were at the preaching serving God, he confessed the same, and in hope of his amendment in times coming the rigour of his punishment was suspended, with certification that if he do the like in times coming he shall incur such punishment as shall be enjoined by the Minister and Elders.

A Double Punishment.—September 29, 1589. Compeared Isabel Hally, and confesed her adultery with Patrick Gibson

* Ground appointed for the practice of archery and various games.

in the parish of Findogask,* who presented an testimonial of her obedience to the said kirk. She is ordained that, after she has satisfied the kirk of Findogask, she shall report a testimonial of the Minister there of her satisfaction as said is, and thereafter, because she has in part offended this kirk and congregation, she shall present herself in the repentance stool of this kirk in linen clothes barefoot on Sunday afternoon in time of preaching; for her performance of which things Thomas Johnston, burgess of Perth, became cautioner under the penalty of L.20 (Scots, or L.1:13:4 sterling), and acted himself to this effect.

No Sunday Amusements. — October 6, 1589. Forasmeikle as at the playing of the kyles† in the North and South Inches the Sabbath is broken, and God's holy Name profaned, ordains the Bailies to cause break them, and note their names that play at them, and give them in to the Assembly ilk Monday, that they may be punished.

An old Acquaintance of the Kirk-Session. — October 21, 1589. Forasmeikle as Jean Thornton is an excommunicate person, and should not be holden in the company of good Christians, much less to be entertained in bed and board within any honest godly man's house, to the great slander of God, His Word, Kirk, and this congregation; therefore it is ordained that all the Bailies, Robert Anderson, Oliver Young, Henry Balneaves, and Andrew Mercer, with Adam Anderson and Constantine Melice, two of the Elders, pass to Thomas Monipenny presently, and intimate to him the kirk's will, that is to say, that he separate and put out of his house the said Jean Thornton, under the pain of excommunication; and the said Bailies to report their diligence on Monday next, and no others to receive her under pain of excommunication.

A False Accusation of Witchcraft. — November 2, 1589. Forasmeikle as this day was assigned to certain honest neighbours of Tirsappie‡ to be present, and of their conscience

* Apparently the parish of Trinity-Gask adjoining that of Gask, the post-town of which is Auchterarder.

† Evidently the game of nine-pins.

‡ This small hamlet is to the east of the road from Edinburgh, where the first view of Perth is obtained coming from the south.

to declare whether it was true that Guddal,* spouse to Richard Watson, was an witch, as John Watson there alleged, or what evil likelihood they saw in her; Walter Watson, John Cowing, George Scott, James Scott, being inquired severally, as they would answer to God, what they knew, altogether agreed in one without contradiction that they saw never such things into her whereby they might suspect her of the same, but that she was an honest poor woman, who wrought honestly for her living, without whose help her husband Richard Watson would have been dead, who was an old aged man. Therefore the Minister and Elders ordain the Act of Slander to be put in execution against the said John Watson and Helen Watson his daughter.

A Marriage Affair.—November 10, 1589. Whilk day Robert Blackwood, in presence of the Minister and Elders, compeared, being the day assigned to him to shew the reasonable causes why the banns of marriage given up afore the kirk the 12th day of July 1587 betwixt John Lawrie and his daughter were not performed. He showed, first, that the great troubles and dangers in the which he has been since the upgiving of the said banns, with the great hazard and peril of his life, was one stop and hindrance; secondly, the ground whereon the civil contract was made betwixt the said John Lawrie and him was not performed as was contracted, and Isabel Blackwood his daughter, future spouse to the said John, was not infest in his lands according to contract and promise, which was done only upon Wednesday last, and how soon same was done their marriage is performed. The whilk reasons, being considered and tried, he being removed, are found reasonable, yet nothing to hurt the Order and Act of the Kirk; wherefore the Minister and Elders, with consideration more of the first cause than of the second, dispense with the rigour, and ordain, notwithstanding of any Acts passed of before, that he pay L.5 (Scots, or 8s. 4d. sterling) allenarly to Mr George Ruthven, collector of the poor's alms, to be given to the poor. December 30—Forasmeikle as Robert Blackwood, the twelfth day of June anno 1587, became cautioner for his daughter's marriage,

* Sic in MS.

to be performed within the space of ten days, under the pain of L.10 (Scots, or 16s. 8d. sterling), as Alexander Marton (was) cautioner in like manner for John Lawrie, and the said Robert failed in performance thereof; and being called, and and compearing, and accused, the 11th of December 1587, (he) answered, that the fault was in himself, in respect he would not have his daughter married until, according to the civil contract, she were infeft in her future husband's lands, and willingly promised, under pain of doubling the sum, to perform the marriage betwixt that present date and Candlemas next thereafter, and separate his daughter out of his house, where the man was also. And thereafter, the 24th day of February 1588, being called again for failing in his promise, answered as of before, and promised with expedition to do it; and the Minister and Elders in one voice, without contradiction, ordained the said Robert to pay the penalty of L.10 (Scots) instantly, and the rest (L.10 Scots) to be paid betwixt that present date and Whitsunday next thereafter, under the pain of tripling the sum. Nevertheless the said Robert continued in his former driffling,* to the great slander of the kirk, perverting of the discipline and good order in the town, and giving an occasion to others by his evil example to do the like, till at last a pledge for his penalty was obtained, and the persons married the 11th day of November four score nine years; which pledge being offered unto him, according to his promise to be released with an certain sum condescended by the Elders for the support of the poor within the town, and he refusing it altogether, being desired thereto first by the kirk-officer, next by the collector of the poor's alms, thirdly, in presence of the Bailies by an Elder directed to him, and last, by the Minister and hail Elders: Therefore all in one voice, Minister and Elders, have ordained the said Robert to be punished and warded by the Bailies until he pay the hail; wherein if they be slack the Minister shall admonish them publicly, and thereafter shall proceed against the said Robert as an contemner of the voice of the Kirk.

A Paramour.—November 10, 1589. Whilk day compeared

* Or *trifling*. The word *driffling* literally means a *drizzling* or *small rain*.

Grizzel Bisset, as she was warned, and being inquired how many bairns she had born to Mr Andrew Abercromby in adultery, confessed that she had born three men children, the first called Alexander, the second, Thomas, presently with her and entertained by her at the school in this town, the youngest, Robert, presently with himself in Dunkeld, and there entertained by him at the school, whilk bairns were baptized, as she confessed, by a priest called Sir John Salmond in the kirk of Kepat.* For the whilk offences of adultery committed in begetting the said bairns with Mr Andrew Abercromby, spouse to Agnes Crichton, Lady Bellenden, she has not made her repentance, and never obeyed the voice of the Kirk, wherefore the Minister and Elders ordain her to bring an testimonial from Mr William Glass, Minister at Dunkeld, bearing likewise her repentance and satisfaction for the same, or else to remove out of the town, that she be not farther slanderous to this congregation.

Superstition. — *December 1, 1589.* Whilk day Violet Brown, spouse to Alexander Moncrief, flesher, compeared as she was warned, to this day, and was accused for turning of the riddle with sheers,† ane point indeed of witchcraft and devilry against God's Word, and that for wanting (coveting) of an crown of gold of an young man's within her house. She denied the same, but that she said, only through dolour of her heart for want of the same (the money), that "if it were either betwixt hell or heaven she would have it." For the whilk cause foresaid John Hutton, flesher, was called and accused, and confessed that he was in Alexander Moncrief's house when the young man came in and delivered the gold to the said Alexander's wife, and likewise when he missed and wanted an piece of the said gold, for the whilk the said Alexander's wife said she would turn the riddle, but did not.

Breach of Promise. — *Same date.* Whilk day David Jackson compeared, and produced L.5 (Scots, or 8s. 4d. sterling) penalty for cautionry for Thomas Scotland, because the said

* Evidently Caputh, a parish near Dunkeld.

† *Anglicè scissors.* The *turning of the riddle*, an open sieve, on the point of a pair of scissors, was long a favourite practice in Scotland to ascertain future events and other purposes.

Thomas fulfilled not the band of matrimony with Janet Kennedy; wherefore the said David protested that he (Thomas Scotland) should be warded when as he came to the town for his relief, which the Elders present granted.

An Application for Baptism.—*December 15, 1589.* Whilk day Elspith Aitken, spouse to John Basilly, compeared in presence of certain of the Elders, and shewed that her daughter Margaret M'Keiress was lightered of ane bairn* being in peril of death, and desired that for God's cause the bairn might be baptized, and she should find caution under the pain of L.40 (Scots, or L.3:6:8 sterling) that she (her daughter) incontinent after she raise† should satisfy whenever the Kirk would enjoin it to be done for satisfaction of her offence; for the whilk causes foresaid Andrew Basilly and Robert Snell became cautioners for one to present her whenever the Kirk required, under the pain of L.40 (Scots).

A Frail Damsel.—*January 12, 1589–90.* Compears Janet Rynd, and confesses her second fault of fornication with Robert Stewart, brother to my Lord Innermeath, and submits herself to the discipline of the Kirk.

Profligacy.—*Same date.* Forasmcikle as Henry Arnot, being called, was present, and was accused for his breaking of the Sabbath, blaspheming of God's name, slandering of his neighbours, and singing of filthy and ungodly songs, he confessed the same, and promised never to do the like in times coming upon the which promise the rigour that such faults required was suspended.

A Publican Fined.—*June 20, 1590.* Ordains Duncan Richardson to be puinded for twenty shillings (Scots) because thir two Sundays his tavern was open in time of preaching, and strangers received.

Contrition.—*July 6, 1590.* Compears Helen Hay, and confessed that she had committed fornication with William Johnston, servitor to Captain Car, and had *bona fide* satisfied the kirk of Leith, where she committed the offence; and seeing in her were found tokens of repentance, and that she was put from her friends for the said offence, and was constrained to

* Delivered of a child.

† Recovered from child-bearing.

serve here in this town for her living, liberty was granted to her to remain and abide within the town, with this condition, that she should live an holy and an godly life, which she promised to do.

Theft remitted to the Bailies.—*July 20, 1590.* Compears Janet Morice, servitrix to Janet Martin, and confessed that at the command of Christian Steil, her mistress at that time, she passed out divers times to Ronald Pearson's house, and there received from his servant toillis;* in consideration of the whilks, foreseeing it (would) be dangerous in case order should not be put herewith, ordains the said Christian Steil, as also Janet Morice, to be put to an inquest before the Bailies, and that order thereto be taken with them, that by their example others may be deterred to do the like.

Matrimonial Penalty.—*September 15, 1590.* Compears Margaret Lathangie, according as she was warned to this day, and was inquired why she completed not the banns of matrimony with Thomas Donaldson within the day statute conform to the Act, answered, that she would never complete that marriage with him for such reasons as she knew, and would not openly declare, therefore she is convicted in the penalty of L.10 (Scots, or 16s. 8d. sterling); moreover, being inquired if she had carnal deall with the said Thomas since the day of the contract, remitted the same to the deposition of the said Thomas, who being called, and inquired as said is, confessed the same; therefore both are convicted, ilk one of them, in forty shillings (Scots, or 3s. 4d. sterling), and in consideration of the premisses ordains them both to be warded until they satisfy according as they are convicted.

A Doubtful Charge.—*September 28, 1590.* Compears Janet Burnet, and confesses her(self) more nor half gone with bairn to Thomas Gellatly, servitor to the young Laird of Logie, whose first acquaintance in carnal deall was an fourteen days before Palm Sunday anno 1590, afore the whilk time she had never carnal deall with him, although he did oftentimes resort to this town. Seeing the matter is suspicious, and that the Elders cannot altogether credit her confession, it is thought meet the matter be better tried; and seeing the said Laird of Logie is

* Sic in MS.

with the King's Majesty in Court, and the said Thomas his servitor is with him there in service, appoints the Minister, when as he repairs to the King's Majesty, to try the matter, and report the surety of the premisses; and in the meantime Robert Monipenny becomes cautioner, under the pain of L.10 (Scots), that she shall obey when she shall be called upon.

Female Decorum enforced.—November 9, 1590. The Minister and haill Elders for the time being have found, by trial of famous and credible witnesses sworn and deponed, that Catherine Ritchie, daughter to umquhile Robert Ritchie,* has not behaved herself so christianly as became her, sitting up all night with sundry men, and in special with James Stewart, servitor to John Oliphant, who not only was seen to come out of her mother's house in the morning, but also to pass to the Wood of Aberdalgie,† behaving themselves suspiciously; as also with William Cuchill, James Malloch, miller, and sundry others: therefore ordains her in all times coming to keep herself free from this and all such like company, places, and times, certifying her that in respect the Kirk oversees her now in this vehement suspicion, if any such like be found hereafter it shall be holden *pro confesso*, and she shall be punished as an harlot; to the which she herself has willingly agreed, and promised to keep herself free from all suspicion, and in case she by the testimony of neighbours be found to do the like, she shall be punished according to the premisses.

Absence from the Sermon.—November 16, 1590. Compear

* This individual is already mentioned as the last Prior of the Carmelites at the Reformation. He conformed to the new system and married, and Catherine Ritchie is mentioned as his daughter. He is occasionally mentioned in the Kirk-Session Register. On the 25th of April 1586, the Masters of the Hospital were enjoined to "take order anent the Prior of the White Friars;" and on the 30th of May, the Minister was to "speak" to the Minister of Tippermuir concerning him. On the 8th of August 1587, the Kirk-Session authorized Sir Robert Ritchie's wife to receive the "Martinmas term annuals next to come, which he uptook during his lifetime, to relieve her of the debt taken on to support his necessity in time of his sickness;" and on the 29th of September 1589, the Kirk-Session allowed "Bessy Robertson, relict of Sir Robert Ritchie," the *liberal* weekly aliment of twelve pennies Scots, or *one penny sterling*.

† Aberdalgie is a parish annexed to Dupplin on the banks of the Earn. Dupplin Castle, the seat of the Earl of Kinnoull, is in the united parish, and the family of Oliphant had a residence close to the church of Aberdalgie.

John M^cWalter and Henry Taylor, and were accused for absence from the preaching on Sunday last, and found guilty hereof. Seeing this is the first fault, ordains them, ilk one for his own part, to pay ten shillings (Scots, or tenpence sterling) according to the Act of Parliament, and they to be warded until the same be done.

A Confession of Frailty.—Same date. Compears Janet Foord, and confesses her fornication with John Oliphant,* son to my Lord Oliphant, whose carnal deall was three weeks before Lambmass last; and submits her(self) to the discipline of the Kirk.

A Prevaricating Midwife.—Same date. Marion Stewart, midwife, being inquired if ever, at the request of any, either man or woman, she concealed the father of an woman harlot's bairn, and received an bribe therefor, and fathered it on any other, denied the same; but being appealed before God on her conscience, (she) at last confessed that she went to John Firebrand, mason, in Malcolm Hally's close, at the special request of Janet Ray, and shewed to him that Janet Ray had fathered her bairn on him, therefore she desired the said John to receive the bairn, and sustain it, or else give something to sustain it. Janet Ray, called before the Elders, compeared, and being demanded who was father to the last bairn she bore, first confessed that John Brown, servant to Constantine Melice, was the father. And being appealed of her conscience before God, she, stricken with dolour of conscience, confessed that John Firebrand was father to her last bairn, and that she had never carnal deall with the said John Brown, and likewise confessed that the said John Firebrand broke in by force upon her under silence of the night, and forced her against her will—that at what time she perceived she was with bairn she revealed the same to the said John Firebrand, who commanded her not to tell she was with bairn to him, in case that it should defame him, seeing he was married, which if she did she would never get anything from him either for the support of her(self) or of the bairn; and for verification of the premisses grants that she received from the hand of Patrick Gib,

* John Oliphant of Newland, second son of Lawrence fourth Lord Oliphant, and father of Patrick sixth Lord.

barrowman, at his command, one merk of silver (Scots, or 1s. 1d. sterling): moreover, confessed that she never declared in the time of her birth who was the bairn's father, because neither by the midwife nor no other in the time was she required. The Minister and Elders, understanding well the deceit used both by Marion Stewart, midwife, and Janet Ray, in concealing the said Janet's bairn's father, partly for the avoiding of punishment to the one and of gain to the other, think them both worthy of condign punishment, ordain, therefore, the said Marion to suffer the rigour of punishment she merits for her heinous offences, that is, banishment from the town, discharging of her office, and public repentance on the repenting-stool being suspended; and likewise, as according to her oath she came not to reveal this purpose to the Session of our Elders, that she on Sunday next before noon in time of preaching shall be at the foot of the stool of repentance, and from that place shall confess her offence; and that the said Janet Ray upon the stool of repentance shall confess likewise her offence, that they may both be example to all others not to attempt the in times coming.*

Sabbath-breaking.—*February 22, 1590*—1. Ordains that no breaker of the Sabbath-day be overseen, but either shall pay the penalty conform to the Act of Parliament, or else to be warded hereafter. *March 1*—Whilk day John Bog, for breaking of the Sabbath confessed by himself, submits himself in the will of the Elders. They ordain him presently to be warded until he satisfy conform to the Act of Parliament. *March 15*—Seeing that the Assembly is daily troubled with the breakers of the Sabbath, ordains that in times coming the visitors, whosoever they be, Bailies or Elders, that go through the town on the Sabbath apprehending them, shall incontinently put them in ward, and they not to be let out thereof until ilk one of them pay the penalty conform to the Act of Parliament. *March 29, 1591*—Whilk day compeared Laurence Lamb, and promised for himself, and for his own servants that be fishers, that hereafter on the Sabbath-day he

* This man Firebrand was ordered to appear before the Kirk-Session for his intimacy with Janet Ray, and on the 15th of April 1591, he refused to "give an oath to his own turpitude," which induced them to pronounce him guilty.

shall use no fishing, and likewise promised to desire the rest to abstain who are partners with him. *May 3*—Ordains all ungodly pastime to be discharged that is used on Sunday at even after preaching through the hail streets of this town, especially filthy and ungodly singing about Mays,* and if any person be found contravening the same, to stand in the cock-stool and repentance-stool, there to declare their offence, and and shew their repentance for the same. This to be intimate from the pulpit.

Parents to give Evidence against their Daughter.—*June 7, 1591.* Compears Margaret Cock, and being inquired whether ever she bore an bairn, denied the same, yet confessed that she had carnal deall with William Cudbert. Ordains farther inquisition to be made hereinto, and her father and mother to be warned on Monday next, to depone their oath so far as they know hereunto. *August 2*—Forasmeikle as John Hally has had carnal deall with Jean Whyttock, and William Cudbert with Margaret Cock, before the upgiving of their banns, ordains them to satisfy as fornicators therefor; and in case they have carnal deall betwixt this date of their contract and the day of their marriage, ilk one to pay forty shillings (Scots, or 3s. 4d. sterling), or else make their repentance conform to custom used in siclike.

A Defamer.—*August 23, 1591.* Forasmeikle as there is an heavy and suspicious slander arisen that Effie Burns should have alleged that she had given to the Minister, his wife, and the Reader, certain gold and silver, to ensure one in particular to bear with her abuse; being called and accused hereof, denied the same: moreover, being demanded if she had used familiar society or company with Thomas Scott, miller, confessed, in open houses and common company, and no otherwise.

Obstinate Offenders.—*September 13, 1591.* Whilk day Hugh Stewart, accused of adultery with Elspith Chrystie, confessed his carnal deall with her, but under promise of marriage, thinking her to be free; therefore (he) was ordained to desist in time to come from her company, under the pain of satisfying the Kirk as an adulterer, and suffering of the

* Songs peculiar to or connected with the month of May and its pastimes.

civil punishment; nevertheless (he) continuing as of before in his vile society with her, and called for keeping house with her, could not deny it, therefore was charged *de novo* to find caution to abstain from her company, and as an adulterer to satisfy the Kirk's injunctions. And yet, after he had compeared in Dunkeld before the Synodal Assembly in linen clothes, with her, as adulterers, and after he had given some proof of the beginning of his repentance in the seat of repentance sundry preaching-days, he is found as yet (still) to resort to her, and therefore called, she confessed that they had carnal deall since the admonitions given by the Kirk, and their appearance in the public place of repentance; wherefore the Assembly ordains both to be warded, but first the woman, and the Magistrates according to the Law of God and Acts of Parliament to punish her. The Bailies, therefore, warding her, she escaped, and as was and is believed by his moyen; therefore ordains the said Hugh to be apprehended and punished as an adulterer, and an inquest to be summoned to that effect.

An Incurrible Gate-Keeper.—September 27, 1591. Forasmeikle as William Kinloch, for no admonitions given to him, can observe the Port as becomes him on the Sabbath-day, ordains him to be warded presently, therein to abide until Sunday next, and thereout brought, and put on the stool of repentance on Sunday next to make his repentance, to be an example that no porter do the like in time coming. *October 17*—Wilk day the haill porters, except the porter (keeper) of the Brig-of-Tay port (William Kinloch), viz. William Darling, Nicol (Ronaldson), bellman, William Gibson, and John Tyrie, were called, and intimation made to them for better keeping of the ports on the Sabbath-day; and in case they be found to let in any loads, burdens, &c. on the said day, they to make them repentance, and be discharged of their offices.

A Disorderly House.—November 1, 1591.* Whilk day

* This was the last meeting of the Kirk-Session at which Mr Patrick Galloway, Minister of Perth, was present. He resigned his charge, and for some years afterwards he was constantly with James VI. as chaplain. He was succeeded by Mr John Malcolm, formerly one of the Regents and Provost or Principal of St. Leonard's College in the University of St Andrews, and an intimate friend of Andrew Melville. Mr John Malcolm was Minister of Perth nearly forty years.

Thomas Henrie and his wife were accused for entertaining of harlots, fugitives from the discipline of other congregations, men and women, in their house, denied the same, nevertheless it was sufficiently known that Jean Thornton, an excommunicate person, Christian Spence, with others, resorted; therefore the Minister and Elders ordain them more godly to use their house, that no siclike resort to them, nor have lodging with them, under pain of severe punishment.

Sabbath-breaking denounced.—*November 29, 1591.* Whilk day the Minister and Elders understanding that Andrew Johnston has broken the Sabbath, and likewise contemned the special and civil Magistrates by his light speeches, ordains him to pay thirteen shillings four pennies (Scots, or 1s. 1d. sterling) to the poor, and also to make his repentance on Sunday next, under the pain of excommunication. *December 6*—Ordains all breakers of the Sabbath whatsoever to make their repentance, as also those that use their traffic and selling on the said day; and this to be intimate from the pulpit on Sunday next. *January 3, 1591-2*—Ordains the hail Bailies with two Elders to await every Sabbath-day for observation of the Sabbath, that no handwork, taverning, baking, breaking of flesh, or any other such like courses be used thereon, that God may be hailly and holily glorified.

House of Ill Fame.—*December 20, 1591.* Compear Thomas Harlow and Janet Grant his wife, and being accused as special reseters, entertainers, and receivers of idle beggars, thieves, and sic other unleisome persons, but specially now of new besides unleisomely placing and putting together in beds unmarried and unleisome persons, confessed the same; therefore ordains him and his said wife on Sunday next to make their repentance, and in case they be found hereafter to receive such persons, they to be banished the town.

A Disorderly Woman.—*January 3, 1591-2.* Whilk day Violet Will was accused for playing on doors and windows, and dancing, on Sundays at even, and uttering of bawdy songs and singing of filthy ballads, confessed the same; therefore the Elders, perceiving her willing mind to desist, will use no rigour, but inhibit her that she do not the like hereafter, under pain of making her repentance publicly.

Marriage allowed only on Thursdays.—January 10, 1591–2. The Minister and Elders ordain that marriages shall be on Thursdays hereafter, and they to be used betwixt the second bell and the third on the said day.

No Servants to be received without a Testimonial.—February 7, 1591–2. Forasmeikle as godly and honest men's houses are abused by evil servants coming from landward, other burghs, and unlesomely out of neighbours' houses, the Minister and Elders ordain that no inhabitant within this town receive either man or woman, nurse, or others, without an sufficient testimonial of their godly and good behaviour off the place wherefrom they came, and also that no neighbours receive out of the houses of their neighbours any servant without an sufficient testimonial as said is; and whoever shall be found to contravene shall pay forty shillings (Scots, or 3s. 4d. sterling) to the poor.

Foot-Ball on Sunday denounced.—February 21, 1591–2. Whilk day compeared John Pitscotty, apparand (heir) of Loncarty, Finlay Eviot, servitor to the Laird of Balhousie, John Grieve, Patrick Stiell, Alexander Wilson, Thomas Wilson alias Webster, Alexander Wilson younger, Alexander Ramsay, John Reid, John Robertson, Robert Miller, and confessed that on the Sunday of the fast, in time of preaching, afternoon, they were playing at foot-ball in the Meadow Inch of the Muirtown, and that the same was an offence, therefore they were ordained on Sunday next to make their repentance for break of the Sabbath.

A Matrimonial Quarrel.—Same date. Whilk day the Minister and Elders having understood that John Robertson has put away Bessy Gibson his spouse from him without an lawful cause, and behaves himself towards her not as an husband, the Minister and Elders ordain him to call her home again, otherwise presently to be warded until he learn his duty.

A Careless Mother.—March 6, 1591–2. Whilk day compeared Helen Henry, spouse to Thomas Rynd, traveller,* and being accused of the sudden departure of her infant bairn,

* In reality a travelling beggar, whose residence was in Perth.

confessed her negligence in the same, and submits her(self) to the will of the Kirk. The Minister and Elders ordain her to make her public repentance the next Sabbath in the seat of repentance in linen clothes.

Sunday Drinking.—*March 20, 1591–2.* The Minister and Elders understanding that the Sabbath is specially broken by those that resort to the Inch taverns, and divers other pastimes, in time of preaching, afternoon; ordains, therefore, visitation to be had and used after noon by the Bailie quietly and the Elders for suppressing of the same, and those to report their diligence the Monday thereafter. Ordains the Bailies to cause proclamation to be made eight days before ilk fair and mercat within this burgh, that no buying or selling be used on the Sabbath, whether it be fair or mercat, even or day, under pain of condign punishment of the contraveners. Whilk day John Elshender,* burgess of Edinburgh, was summoned for break of the Sabbath, and selling his wares within the same, and being accused for the same, submitted himself to the will of the Kirk; yet because he was a stranger, with admonition remitted him for the present, with promise that he would not do the like in times coming, who promised the same.

The Observance of Christmas-Day prohibited.—*March 20, 1591–2.* Forasmeikle as the Minister and Elders have had experience and practice of the abuses that fall out in the time of Yule, with the slander that arises hereof, besides the evil example that it furnishes to the landward parishes beside us; ordains that an proclamation be made an month before the next Yule Day, from the authority of the Bailies and (Town) Council for suppressing of the same in times coming, with an strict punishment, that none within this burgh (may) allege ignorance.

Frequenters of St Ninian's Fair.—*Same date.* Ordains the haill merchants that were at St Ninian's Fair late, ilk one to pay six shillings eight pennies (6d. sterling) for break of the Sabbath, and in case they be found to pass or resort to any mercat on the Sabbath to make their repentance.

* This surname is a corruption of Alexander.

A Refractory Fisherman.—*Same date.* Whilk day John Adam, being called, compeared, and, being desired to fish none on the Sabbath-day, refused to give obedience; therefore it was ordained that the next Sabbath he should have the first admonition before excommunication for his contemptuous disobedience.

A Penitent Flesher.—*March 27, 1592.* Whilk day compeared Thomas Elgin, flesher, and was accused for breaking of flesh the last Sabbath against the Act of Parliament and the Act of the Kirk, confessed the same; and being required whether he would give obedience to the Kirk hereafter in this point, said he would do the same; therefore, for hope of amendment, without punishment conform to the Act, he is forgiven.

Fishermen promise not to use their Nets on Sundays.—*April 3, 1592.* Whilk day compeared John Barry, George M'Gregor, younger, David Low, William Clink, Donald Johnston,* and in name of Patrick Anderson, his grandfather,† and promised for themselves, and in name of their servants fishers, that they should shut their nets for fish on the Sabbath-day hereafter.

A Flesher in Trouble.—*April 10, 1592.* Whilk day the Minister and Elders, understanding that Thomas Taylor, flesher, is an contemptuous breaker of the Sabbath by breaking of flesh on the said day, ordain him to make his public repentance on Sunday next. *May 10*—Forasmeikle as Thomas Taylor has been divers and sundry times charged to give obedience to the voice of the Kirk, and has yet continued obstinate, therefore the Minister and Elders ordain the first admonition afore excommunication to be on Sunday next; and in case he come to give obedience on the said day, the Minister not to proceed without advice of the Elders to be had and taken on Monday next. *June 26*—Forasmeikle as Thomas Taylor is not only found to have given great disobedience to the voice of the Kirk, and for the same is presently under the admonitions afore excommunication, but also has in the meantime vomit hitherto not only contempt of our ordinance, but also

* Those men were salmon-fishers in the Tay.

† His father-in-law—his wife's father.

ungracious and ungodly speeches, for suppressing of the which it is ordained that the Bailies put the said Thomas Taylor in ward until farther order be taken, both for the glory of God and good example to others in time coming, so that vice may be suppressed. *November 13*—Whilk day, after sundry warnings and admonitions made from the pulpit, compeared Thomas Taylor, flesher, and humbly with confession of his offences in breaking of the Sabbath, and his disobedience to the voice of the Kirk, submits himself to the will and discipline of the Kirk; therefore the Minister and Elders ordain him to make his public repentance for away taking of the slander arisen on his foresaid offences, and ordain him to compear on Sunday next, and in time of preaching to stand bareheaded before my Lady Gowrie's desk, and, when he shall be required publicly to give an confession of his said offences, to do the same; and for performance of the premisses, Patrick Oliphant becomes cautioner under the penalty of L.40 (Scots, or L.3:6:8 sterling).*

Promises to observe Sunday.—*April 17, 1592.* Whilk day compeared John Tendall and George Jack younger, and promised that their bake-houses hereafter shall not gang (be used) on the Sabbath. *April 24*—Whilk day compeared Walter Kid, Andrew Wallace, and Thomas Murray, fleshers, and promised not to break flesh on the Sabbath. *May 1*—Compeared Mr George Ruthven, Archibald Steedman, and Robert Lamb, and promised hereafter on the Sabbath-day to use no muffing, polling, washing.† *May 8*—Compeared Patrick Anderson, Patrick Lamb, and John Hutson, fishers,

* This was not the conclusion of Thomas Taylor's affair. He continued refractory, and on the 3d of July 1592 the Bailies were ordered to imprison him for his "contemtion," and if they refused or were negligent, they were themselves to be excommunicated.

† Mr Scott volunteers the following explanation on this case:—"These gentlemen, as appears from other parts of the Register, were chirurgcons, and, according to the practice of the time, acted also as barbers. They promised, therefore, that on the Sabbath they would not exercise their trade by administering to those who were solicitous about their looks or dress delicate washes or perfumes, by polling or trimming into fashionable shape the beards of such persons, or by assisting them in muffing, or adjusting properly the large plaited ruffs they wore round their necks, and which sometimes they brought up in such a way as to conceal their faces."

and promised to abstain themselves and their servants from fishing on the Sabbath. *May 15* — Compeared Thomas Lathriche, and promised obedience from all his handywork in muffing, washing, &c. on the Sabbath.

An Excommunicated Person and Sunday Pastimes.—*May 22, 1592.* Whilk day William Kinloch * is inhibit to suffer John Hall, excommunicate person, to enter in at the Brig-of-Tay port, under the pain of deprivation of his office; as also that none of the burgh be suffered to go out on the Sabbath, afore nor after preaching, to the pastime of Scone, and in case any will violently go furth, he to report their names under the pain aforesaid.

A False Accusation of Theft.—*July 31, 1592.* Whilk day, in presence of the Minister and Elders of the burgh of Perth, being for the present convened, compeared John Barrie, one of the servants of the Inch Mill of the said burgh, and by his bill of complaint showed and complained on Michael Lyel, another servant of the said Mill, who had said that the said John Barrie was art and part of certain malt taken away and put out of the said Inch Mill by the said Michael Lyel and William Young alias Fiddes, one of his complices, to the great reproach, slander, and shame of the said John, thereby to bring him out of all good fame and secure places. The said Michael being called afore the said Minister and Elders, and being demanded and examined in the premisses, confessed that the said John Barrie was neither art nor part of the away taking of the foresaid malt, neither consented to the doing hereof, nor was on the counsel hereof, nor yet was present at the away taking of the same by the said Michael Lyel and William Young alias Fiddes, neither yet received any part hereof. The same being intimate to the said John Barrie, he desired a testimonial for avoiding of slander in the premisses, to be granted to him, that the said slanderous fact be not an hinder to him in any point, especially to his service, seeing he is but ane poor boy, having nothing to live on but his service. To the whilk petition the foresaid Minister and Elders in one

* This functionary contrived to retain his situation, notwithstanding his frequent appearances before the Kirk-Session for his remissness in the office of keeper of the Brig-of-Tay gate.

voice agreed, and ordained William Balneaves, reader, and scribe to the Assembly, to give an testimonial subscribed by him to that effect.

A Virago Punished.—September 25, 1592. Janet Dick, spouse to David Allan, called and accused for breaking the Sabbath, not only by absenting herself from the preaching, but also in working, in gathering of kail, as also in flyting with her neighbours, and especially with her husband, and more, against the law of God in putting hand on her husband to strike and ding him: ordains her to make her repentance publicly the next Sabbath, and to pay thirteen shillings four pennies (Scots, or 1s. 1d. sterling) to the poor according to the Act of Parliament; and the said David Allan becomes cautioner for the said Janet Dick his spouse, that hereafter she shall abstain from flyting with her neighbours, and shall keep the Sabbath when she is hail (in health), otherwise she being found to fail in any of thir foresaid, to pay L.10 (Scots, or 16s. 8d. sterling) to the poor, and to make her public repentance.

Marriage Regulations.—October 23, 1592. The Minister and Elders present ordain that hereafter the parties contracters shall have their cautioners bound for the fulfilling the banns under L.10 (Scots, or 16s. 8d. sterling); likewise under the same pain they shall be bound that there shall not be any piping nor scurrility, as also that the parties, being married, shall not be absent from the preaching under the like pain.

A Sabbath Proclamation.—November 6, 1592. Ordains John Jack, officiar, on Tuesday next to pass about the town, and charge and inhibite that no inhabitants within the same nor parochin thereof buy any flesh on the Sabbath-day; as also that no brewster, nor other, mask * on the said day; and in case any be found to contravene they shall make their public repentance.

Female Water-Carriers.—Same date. Compears Violet Hall, spouse to John Coventry, and Margaret Car, burn-

* *Infuse*, or *mask* malt, the same as *masking* tea. A *masking* *fat* is a *masking* *vat*, in the same way as a *masking* *pat* is the popular rural name of a tea-pot.

bearers,* and were accused for bearing of burn the last Sabbath; confessed the same, therefore they are ordained to make their public repentance on the seat of repentance the next Sabbath.

A Death-Bed Confession of Immorality.—*January 1, 1592–3.* Compears Elspith Culross, and confesses her fornication with John Gibson, merchant, and that under promise of marriage, the whilk the said John confessed, being on his death-bed, before Mr John Malcolm, Minister, Robert Matthew and Walter Gray, Elders, being visitors (of the sick) for the time; and therefore the said Elspith is appointed to make her public repentance, and satisfy the Kirk in all points for her fornication, according to the Order.

Absence from Preaching.—*January 8, 1592–3.* The Lady Endernytie† being warned to compear before the (Kirk) Session for absenting herself from the kirk on the Sabbath-day and other preaching days, to the great slander of this congregation, where she has residence for the present, compears Oliver Peebles, Bailie, in her name, and reports that she is not able, by reason of her sickness, specially the gout, and therefore is excused. *January 19*—The Lady Endernytie, being called, and accused for absenting herself and the rest of her family from the hearing of the Word on the Sabbath, compears, and confesses that she does it not either in contempt of the Word, or of the Minister, but only by reason of her sickness, and promises, when she shall be well in health, to repair more frequently to the kirk and hearing of the Word.‡

The Dean of Guild at Fault.—*January 29, 1592–3.* Compears Henry Adamson (Dean of Guild), and being inquired

* Those poor women were water-carriers, who supplied the citizens with water from the Tay. At that time, and for nearly three centuries afterwards, Perth contained no public wells. This procedure is peculiarly disgraceful to the local tyrants of the Kirk-Session.

† A property called Innernytie is near the debouch of the Earn into the Tay, in the parish of Abernethy.

‡ The Lady Innernytie, as she is teritorially designated according to the old Scottish custom, was suspected of having Roman Catholic tendencies. Two years afterwards her son, or husband, who is styled the Laird of Innernytie, is mentioned in the Kirk-Session Register as an "excommunicate Papist."

if he knew anything concerning the conspiracy made by the Earl of Angus,* confessed he knew nothing; and being accused for riding on the Sabbath-day, confessed the same, and promises not to do the like hereafter.

An Act against Ante-Nuptial Intercourse. — March 12, 1592–3. The Minister and Elders agree and conclude all in one voice that carnal deall betwixt man and woman before marriage is fornication, and therefore ordain that whatsoever persons contracted be found to have carnal deall together betwixt the giving up of their banns before the (Kirk)-Session and the solemnization of their marriage shall pay forty shillings (Scots, or 3s. 4d. sterling), and make their public repentance at the stool before the pulpit the day of their marriage, according to the act of our (Kirk) Session made the 8th of May 1581; and further it is ordained that the woman come to the stool with her head covered as a fornicatrix, seeing that her carnal deall before marriage is fornication indeed.

The Perth Surgeons examined. — March 19, 1592–3. Compears Mr George Ruthven, Andrew Brown, Thomas Lathrisk, and John Meling, surgeons, and being inquired if they or any one of them had any persons under cure for the present who had the goir,† answered all in one voice they had none; and further, at the request and command of the Minister and Elders promised, that if they shall have any such persons under their care in time coming they should reveal it to the Minister and Elders, for avoiding of contamination, which must ensue unto others by their company with persons in such a disease.

The Pledge of the Midwives. — March 19, 1592–3. Compears Marjory Russel, Marion Stewart, Bessy Lamberkin, and Agnes Thomson, midwives, promising not to help in time of birth any woman suspected either of adultery or fornication, until the time they confess and declare unto them who is the bairn's father.

* William Douglas, tenth Earl of Angus, who had conformed to the Roman Catholic religion, and was concerned in some of the numerous plots to overthrow Presbyterianism, and restore the ancient Hierarchy. The suspected Noblemen engaged in this particular "conspiracy" had many adherents in and near Perth, and they were popular with the common people generally.

† *Scoticè glengore, glengour, grandgore, or lues venerea.*

A Frail Dame's Confession.—*Same date.* Compears Isabel Lundy, adulteress, confessing adultery committed with Walter Anderson in Balhousie, manifested by procreation of a child whom she had presently in her hand before the (Kirk) Session, being four years of age, and not entered in the Kirk of (by) godly baptism; and therefore the Minister and Elders, seeing that the Synodal Assembly approached, ordain her to be present before the Synodal (Assembly) the second day thereof, which is the 4th of April 1593, and to receive her injunctions there.

Housewife at Fault.—*March 26, 1593.* Compears Elspith Forskaill, and confesses her offence of breaking the Sabbath-day in time of the public fast and humiliation of this town and of the haill Estates of the country, but especially by baking of baken meat, to the great dishonour of God, and heavy slander of this haill congregation; for the whilk causes she submits herself to the discipline of the Kirk, and promises not to do the like in time coming, under the pain of L.10 (Scots, or 16s. 8d. sterling), and William Inglis became cautioner for this effect.

The Benediction.—*April 9, 1593.* Ordains intimation to be made publicly out of the pulpit by the Minister the next Sabbath-day after sermon before noon, that none depart out of the kirk before the blessing.

A Transgressing Publican.—*April 16, 1593.* The (Sunday) visitors report that strangers, viz. Macintosh, the Laird of Clunie, and divers others, were drinking in John Elder's in time of sermon, for the whilk cause the said John was warned to compear before the (Kirk) Session. Compears John Elder, and being accused for breaking of the Sabbath-day, specially for selling of meat and drink to strangers in time of preaching on the Sabbath before noon, confesses it has been done by (without) his knowledge, and promises to abstain from the like in time coming; and being removed, he is excused by the Elders, from the whilk the Minister dissented.

A Trio of Offenders.—*April 13, 1593.* Compears John Craig, and confesses his fornication committed with Margaret Wilson, and therefore is ordained to make his public repentance three several days in time of sermon, according to the Order

here observed. Compears Margaret Wilson, fornicatrix, and confesses likewise her fornication committed with the said John, and therefore is ordained to make her public repentance three several preaching-days, according to the Order here observed. Compears Janet Fendour, relapse in fornication with Peter Stoup, and therefore is ordained six several preaching-days to make her public repentance.

Lovers' Quarrels.—*May 7, 1593.* Compears Isabel Hastie, desiring the contract of marriage made betwixt William Nicol and her to be absolved, and proclamation of their banns to be stayed; the (Kirk) Session, therefore, ordains both the parties to be present this day eight days, that this may be done with consent of both. *May 14*—Compears Thomas Nicol, in name and behalf of William Nicol, his father, and Isabel Hastie; and the said Thomas being inquired if his father was willing that the contract of marriage should be dissolved, as the said Isabel desired, plainly declared the same; and therefore the Minister and Elders ordain their banns to be dissolved, seeing both the parties willingly agreed thereto, and for good and reasonable causes desired the same earnestly to be done. And farther, the said Thomas, in name and behalf of his father, protests that Isabel Hastie, or her cautioner, pay the penalty of L.10 (Scots, or 16s. 8d. sterling), by reason of her backsliding, to the whilk the Minister and Elders do agree, and ordain Mr Henry Anderson, cautioner for the said Isabel, to pay the sum aforesaid. *May 21*—Compears Andrew Smith, with Janet Purves, and by reason of their discord and disagreement, the (Kirk) Session has dissolved their contract of marriage with consent and assent of both the said parties; likewise the Session ordains each one of them to pay L.10 (Scots) for the performance of the banns of marriage according to their promise; and, thirdly, ordains each one of them to make their public repentance for their fornication committed by them, as they confessed themselves.

Strangers not to be allowed to reside in Perth.—*July 23, 1593.* Forasmeikle as sundry gentlemen, both mean and great, resort unto this town with their families to dwell here, and make their residence among us, whose behaviour heretofore in other congregations is altogether unknown to us;

and seeing that the said gentlemen strangers, this year having residence among us, have absented themselves from hearing the Word preached, to the great contempt of God, to the prejudice of their own salvation, and to the evil example of this congregation; therefore the Minister and Elders statute and ordain that no strangers, mean or great, be suffered to have residence here, except they give a confession of their faith before the Session when it shall be required of them, and resort on the preaching-days to the hearing of the Word, whereby they may be known to be Christians indeed.*

A Female Slanderer.—*July 30, 1593.* The Minister and Elders have found and tried that Giles Fall has slandered John Pitcairn, Elder, both publicly and privately, and therefore ordain the said Giles to compear and present herself in the place of public repentance, and there declare herself truly penitent for the ungodly slander and false accusations against the said John.

Ignorant Persons not permitted to be Married.—*August 6, 1593.* Compears James Anderson with Eupheme Purves, and give up their banns of marriage to be proclaimed; caution, for the man, John Rogie; for the woman, Patrick Malloch. But because both the one and the other, the man and the woman, are ignorant of their Belief,† and cannot give a confession of their faith, therefore it is appointed that none of the foresaid persons contracted be married, or receive any benefit of the Kirk, unto the time that they learn to give a confession of their faith.

State of the Parish.‡—*August 6, 1593.* Because that

* See the Act of the Scottish Parliament, 23d October 1581. The above resolution of the Kirk-Session had reference to an unusual influx into Perth of the adherents of the Roman Catholic Nobility then under prosecution for alleged "treasonable practices." It was intended to constitute Perth, on account of its central situation and other advantages, the rendezvous of the party.

† Apparently the Apostles' Creed, which was commonly called in Scotland the *Belief*.

‡ The parish of Perth, or "landward" district, in which the "Fair City" is situated nearer to the north than to any other extremity, is about four miles in length from north to south, and the greatest breadth from east to west is about three miles.

sundry great enormities are found to be in the landward parts of this congregation, but specially the break of the Sabbath (by) working, shearing, and leading,* on the same, therefore the Minister and Elders have appointed a visitation to be of the landward part of the congregation, whilk shall begin on Tuesday next, and Alexander Brown, Constantine Melice, John Colt, John Pitcairn, and Walter Gray, to concur with the Minister for this effect.

Sunday Travelling and State of the Poor.—August 20, 1593. Compears Thomas Guthry, who confesses he brake the Sabbath by travelling, carrying, and inbringing of loads, and therefore ordains the Act of Parliament made concerning the break of the Sabbath to be put in execution against him, viz. to cause the said Thomas to pay twenty shillings (Scots) unforgiven, to the whilk he agreed, and promised not to do the like under the pain of L.10 (Scots). The Minister and Elders, understanding many poor, sick, and indigent old persons for the present to be in this congregation, ordain James Adamson and Andrew Donaldson to give them something for their help and support, and to be distributed by them in manner subsequent. †

No Reapers to be hired on Sundays.—August 27, 1593. Forsomeikle as in the time of harvest sundry both men and women, shearers, resort to this town on the Sabbath, walking up and down the streets in time of the preaching, waiting only to be hired and on worldly profit, little or nothing regarding the profit of their souls, whilk thing as, on the one part, it is dangerous to the persons, breakers of the Lord's Sabbath, so, on the other part, it bringeth heavy slander on us through the country, and will bring greater except remeid be had in time coming; therefore the Minister and Elders ordain the porters to hold them out, under the pain of deprivation of them (the porters) in case through their negligence they have access and

* Reaping and carrying the victual to the barn-yard. The above intimates that the harvest was early in 1593, notwithstanding the miserable state of agriculture, the want of draining, and other inconveniencies.

† Thirteen persons, some of whom had numbers of children, received this donation. The largest sum awarded was five shillings and sixpence sterling, and the smallest was sixpence.

entry, and likewise that the Bailies remove and banish them (from) the town, and suffer no such enormities to be unpunished.

A most disorderly Person.—*September 3, 1593.* Andrew Walker, flesher, being delated and accused for breaking of the Sabbath-day, specially by inordinate drinking and drunkenness, by swearing and horrible blasphemy of the blessed Name of God, and that customarily, for absenting himself from the hearing of the Word before and after noon on the Sabbath, and for breaking of flesh on the Sabbath, could not deny it; and therefore (he) is ordained to make his public repentance, that others may learn in time coming not to do the like.

No Children or Dogs admitted into the Parish Church.—*September 10, 1593.* Because in time of teaching on the Sabbath both the Minister and hearers are perturbed by young bairns brought to the kirk that cannot profit, and likewise by barking of dogs, therefore it is ordained that they shall have no access to the kirk in time of teaching, and if they come to be removed by the beadle.

An Old Offender punished.—*November 5, 1573.* Forso-meikle as William Kinloch, porter at the Brig-of-Tay port, has sundry and divers times been found negligent in his office and slanderous in his life, and now, last, in the time of public fast and humiliation, in time of sermon before noon, on the Sabbath, in James Blyth's house was found drinking, whilk he could not deny; therefore the Minister and Elders ordain him to compear in the place of public repentance barefooted and bareheaded, under the pain of excommunication, to declare his repentance before the congregation, whom he by his wicked and ungodly life has often offended and slandered.

An alleged Rape.—*November 19, 1593.* David Hering (or Heron) compeared, who being accused for ravishing of (Agnes or Ann) Kinnaird, daughter to the Laird of Inchture,*

* This Laird of Inchture was Patrick Kinnaird, who married Euphemia, daughter and co-heiress of Gilbert Gray of Balindoran, a son of Lord Gray, and who was killed in 1590 by William son of Patrick Ogilvie of Inchmartin. Patrick Kinnaird of Inchture was an ancestor of the Lords Kinnaird of Rossie Priory, the first of whom was created Baron Kinnaird of Inchture in the Peerage of Scotland in 1682, and whose descendant George William Fox, ninth Lord, was created Baron Rossie of Rossie, in the Peerage of Great Britain, in 1831.

answered, he ravished her not at all, but all that he did was done both with the consent of the gentlewoman and likewise with the consent of her friends; and promised, notwithstanding she was in his company, he should keep himself honest, and, so far as he can, offer no occasion of slander to this congregation where he has residence.

Absolving of a reputed Murderer.—November 26, 1593. Whilk day the Minister and Elders, after trial and examination of famous witnesses, have found that John Cousnie, stabler, and his spouse, have not only privately traduced, but also publicly slandered, William Ramsay, son to umquhile William Ramsay, notar, calling him murderer and manslayer, saying plainly and openly that he had slain and murdered their son, whereof he purged himself to be guiltless, and that by a solemn oath before the hail (Kirk) Session; therefore the Minister and Elders foresaid, although thir persons' slanders deserved to be condignly punished, have overseen this their fault, with certification to them, and ilk one of them, if they be found in time coming either publicly or privately to slander the said William, that then the Act made for the punishment of slanderers shall strike upon, and be put in execution against them in all points.

Alleged Amour of the Lay Prior of the Charterhouse.—February 11, 1593-4. Compears Elspith Carstairs, and, after long and earnest dealing with her, confessed her adultery committed with James Balfour, Prior of the Charterhouse, to whom she is presently with bairn, as she confessed, and to none other; and that the said James had carnal dealt with her once, and no more, in (during) the night of the said James' wife being absent in her father's. And Thomas Oliphant in Friarton promised faithfully to exhibit and present her before the (Kirk) Session this day fifteen days, as also became cautioner under the pain of L.40 (Scots, or L.3:6:8 sterling) for the accomplishing of her repentance, and performing of all things that shall be enjoined to her to do.*

Private and Public Admonitions.—March 11, 1593-4.

* This lay Prior of the Charterhouse, on the 17th of November 1594, denied on oath the charge preferred against him by Elspith Carstairs.

The Minister and Elders have ordained and concluded, according to the Word, that persons privately offending shall be privately admonished, and make a privy satisfaction; and again, persons publicly offending shall publicly be rebuked, and make a public satisfaction, that others by their example may learn not to do the like, and so sin, which daily increases, be stayed and repressed, to the glory of God and the weal of Christ Jesus' Kirk.

A Tavern-Keeper admonished.—Same date. Compears John Elder, cook, being warned to this day, and being accused for receiving of the Earl of Angus, an excommunicate Papist, and selling of ale and wine in his house on the Sabbath, answered, first, that the Earl of Angus was received in his house, but of his conscience he knew not that it was he indeed; secondly, for selling of ale, answered, he knew not of it himself, being out of the town in Dunkeld with my Lord of Atholl, and that his wife was in the kirk; yet, notwithstanding, the Minister and Elders, considering that of before he has been sundry and divers times found guilty of the like faults, ordain him to pay an merk (Scots) according to the Act of Parliament, and to humble himself privately before the Session, with certification to him, that if he be found culpable of the like faults in time coming he shall make his public repentance as a contemner of God, and a manifest breaker of His holy Sabbath dedicated to His holy service.*

Conditional Baptism.—April 22, 1594. Compears John Salmond, in name and behalf of Alexander Salmond his brother, presently lying bed-fast diseased with the hot fever, as he declared, and desired the said Alexander's bairn, gotten in fornication, to be baptized because it was weak, and in danger of death; the Minister and Elders answer, they would not, except caution were found that the said Alexander, how soon he convalesced, should pay the penalty and make his public repentance. Alexander Forbes becomes cautioner for this effect, and the suit is granted.

* The Earl of Angus, who was the cause of offence in this case, was to have left Scotland after the 1st of the preceding February. It was alleged that his Lordship was an "excommunicate," but he had been "excommunicated" merely by the Synod of Fife, a fraternity who had no jurisdiction over him.

Punishment for absence from the Preaching.—May 20, 1594. Compears Robert Brown, and confesses he brake the Sabbath in absenting himself from the hearing of the Word, and therefore ordains him to make his public repentance, and to pay a merk (Scots) according to the Act of Parliament.

A Disappointed Courtship.—May 27, 1594. Compears Robert Ross, son to William Ross, tailor, and confesses that at sundry times he had carnal deall with Janet Bell, daughter to umquhile David Bell, first, on Monday before Andrewmass-day last in her mother's ale-house at eleven hours at even, the time being condescended upon before; next, on Sunday immediately thereafter following, and no oftener in November, as he alleged. He affirmed likewise he had carnal deall with the said Janet on Saturday the fourth day of May in his father's brew-house, where they both remained together betwixt eleven hours and three afternoon, as he constantly alleged and affirmed. Lastly, he produced ane certain book written with his own hand, containing the times he had carnal deall with her, whilk book being tried by the Minister and Elders, the allegiances (allegations) are found falsified, and that by reason of many contradictions contained in the book. For the whilk cause he was ordained by the Minister and Elders to declare his repentance, and to confess his offence in that point, as he did, Ordains Janet Bell to compear before the Session this day eight days. *June 3*—Compears Janet Bell, being warned to this day, and being inquired if at any time Robert Ross had carnal deall with her, plainly denies the same, and protested before the living God that she never had carnal deall with him, or with any other man living. And likewise being demanded if that she was with the said Robert in his father's brewhouse betwixt eleven hours and three afternoon, on Saturday the fourth day of May, plainly denies the same, and further took on her to prove, by honest and famous witnesses, that she was *alibi* induring the foresaid space; to the whilk the Minister and Elders willingly agreed, and appointed her to bring her witnesses the next day. *June 11*—Whilk day being assigned for the trial and examination of the witnesses for the part of Janet Bell, compears the said Janet with her witnesses, viz. Robert Liddel,

cordiner, William Reid, Thomas Gibson, inmailer,* Janet Pourie, servitrix to Gavin Dalzell, John Jamieson, and Catharine Pourie, inmailer. All being admitted and sworn on the damnation or salvation of their souls to declare the truth in the matter that they are solemnly inquired of, so far as they know, and that before Robert Ross, deponed in manner subsequent:—First, Robert Liddel testifies that Janet Bell was in her mother's house on Saturday the fourth day of May from eleven hours before noon to one afternoon. William Reid testifies that he and certain others with him were in her mother's house on Saturday the fourth day of May betwixt eleven hours in the day and three afternoon, the said Janet Bell serving him and those that were at the table with him. Thomas Gibson, inmailer, testifies that on the day foresaid he saw the said Janet serving in her mother's house betwixt twelve hours and a half hour to three. Janet Pourie likewise testifies that on the day foresaid the said Janet Bell bought from her three chopins of wine, the first at one afternoon, the second at two, the third at half hour to three. John Jamieson and Catherine Pourie testified as the witnesses of before. In consideration of the premisses the Session ordained Robert Ross to make his public repentance, and to confess his offence publicly in presence of the haill congregation; and the said Janet Bell to be declared innocent in so far as they can either know or say. *July 15*—Compears Alexander Moncrief with Janet Bell, and give up their banns of marriage to be proclaimed.†

A Dean of Guild and his Slanderers.—*July 8, 1594.* The Minister and Elders understanding that James Doning and William Doning his son have falsely slandered and most

* A *mailier* is a farmer, or one who pays rent for land, and also one who tills a small piece of ground as a cottar.

† Though Janet Bell's preference of Alexander Moncrief was evidently the direct cause of the accusation of Robert Ross against her chastity, it appears that he and the immaculate Janet had been on peculiarly intimate terms. On the 16th of December 1594 it is recorded—"Compears Janet Bell, and confesses the bairn that she bore was to Robert Ross, gotten in fornication with him, notwithstanding of her constant denial of before, with horrible imprecations and oaths; but because the matter is weighty, therefore the Session remits her to the Presbytery to be tried."

unjustly traduced Henry Adamson, merchant-burgess of this burgh of Perth, and William Robertson, notar there, partly by their own confession, both before the Session and Presbytery, partly also by their infamous libels and slanderous tickets written and subscribed with their own hands, and thereafter affixed on both the kirk doors on Sunday the last day of June, being a day appointed for public fasting and humiliation, as also for the celebration of the Holy Supper of the Lord, which infamous libels were written and affixed by them of malice, as the effect proved, and of malicious intention to defame both the said Henry Adamson and William Robertson, and to make them, so far as in them lay, to be abominable both in the hearts and before the eyes of all men and women intending to communicate at the holy table of the Lord that day; therefore the Minister and Elders foresaid ordained the said James Doning and William Doning his son to be apprehended by the Bailies, and to be put in ward, there to remain ay and until they find sufficient caution to satisfy for their slander and offence as will be enjoined to them by the Session in all points. And although the offence of the slanderers foresaid deserved to be punished with all rigour and severity, and also that the Act made against slanderers should strike upon them in all points, without any favour or dispensation, yet the Session, having regard in special to James Doning, his decrepit age and gray hairs, have mitigated the censures which justly might have been extended against them, and for removing of the slanders have ordained them only to satisfy as follows—First, the persons slanderers foresaid on an Sunday before noon, at the second bell to the preaching, shall come to the south kirk door, where they affixed their infamous libel, and stand there until the third bell be rung and ended; thereafter they shall come to the public place of repentance, there to sit bareheaded until the preaching be ended; lastly, in the presence of the congregation after sermon they shall confess their offence as they shall be required by the Minister, and thereafter come down and ask the persons' pardon and forgiveness whom they ungodly traduced and unjustly slandered.*

* The "slander" of which James Doning and his son were guilty seems to have originated in a quarrel connected with the then ruinous Hospital and

Sunday Tippling.—*August 26, 1594.* The visitors report that the Laird of Redhall was drinking in Duncan Robertson's house in time of preaching, and therefore ordains the said Duncan to pay the penalty according to the Act of Parliament.

A Denial of Paternity.—*September 16, 1594.* Compears William Jack, and protested before the living God that the bairn whereof Martha Hay was lately delivered was no ways his, and that he was not the father of it, as he will answer to God at the day of judgment.

A Female Sunday Defaulter.—*September 23, 1594.* The visitors report that Bessie Kinglassie, hocster, bought nets on the Sabbath, as also injured an Elder who rebuked her for making merchandize on the Lord's day. Compears Bessie Kinglassie, who being accused and convicted for breaking of the Sabbath by buying of nets, and likewise for injuring an Elder in his own house, is ordained, first, to declare her repentance privately before the Elders; secondly, to pay an merk (Scots) according to the Act of Parliament; and, thirdly, to ask the Elder pardon and forgiveness whom she injured in the common street, before his own yett.

A Frail Penitent and her Paramour.—*October 14, 1594.* Compears Christian Ferguson, trelapsee in fornication, and confesses her third fault of fornication committed with Robert Cudbert, and therefore ordains her to be apprehended by the Bailies, and thereafter to be put in Halkerston's Tower, there to remain for the space of twenty days, and to stand six hours on the Cross-head in the joughs; and, last, to compear nine preaching-days in the place of public repentance. *October 28*—Compears Robert Cudbert, trelapsee in fornication, and confesses his third fault of fornication committed with Christian Ferguson, and therefore the Session ordains him to satisfy in all points, viz. the days of warding, repentance, and penalty, to be trippled according to his triple fault; and because he has not silver presently, he promises faithfully to produce his penalty this day fifteen days.

Sabbath-Breaking.—*October 28, 1594.* Compears John

Chapel of St Anne, of which the elder Doning was patron, and had resigned to the Kirk-Session on the 11th of July 1580. The ground was alienated and let to Mr William Bynd, Minister of Kinnoull, on the 11th of November 1588.

Bennet in Muirtown, and confesses he broke the Sabbath by leading of corn thereon in the time of harvest, and likewise by customable absenting of himself from the hearing of the Word; and, last, he is found not to have resorted to the holy table of the Lord thir three years bypast; and, therefore, he is ordained the next Sabbath to compear in the place of public repentance, to declare his repentance for the causes foresaid, and likewise to pay two merks (Scots, or 2s. 2d. sterling) to the poor.—Compears Peter Cunningham, and confesses he led corn on the Sabbath until eight hours only. The Session finds that he is a breaker of the Sabbath, and therefore ordains him to declare his public repentance the next Sabbath, and to pay an merk to the poor, according to the Act of Parliament.—Compears Thomas Oliphant in Friarton, and confesses he convened and hired hookers or shearers on the Sabbath in time of harvest, but not absented himself from the hearing of the Word, and promises to abstain from the like in time coming; as also promised himself, and to cause his family, to keep the Sabbath, in all time coming, under the penalty of L.10 (Scots); and likewise promises to bring an testification from the Minister of Cupar-in-Fife that Elspith Carstairs,* adulteress, for whom he became cautioner, was never able to return, by reason of her sickness and disease, to satisfy for her adultery.†

A Disorderly Baptism.—December 2, 1594. Compears William Donaldson, John Swan, Christian Rollock, and the spouse of James Tyrie, and confess that they were present in St Catherine's Chapel as witnesses at the baptism of an adulterous bairn gotten by one George Speedie with Rosie Rollock, whilk bairn was baptized by Mr John Hambill (Hamilton?), deprived from all office of the holy ministry,

* This was the damsel who had accused Mr James Balfour, lay Prior of the Charterhouse, of illicit intercourse with her. See the date, 11th February 1593-4.

† This woman soon afterwards died, and on the 17th of November 1594, Mr James Balfour appeared before the Kirk-Session, and solemnly declared that her accusation against him was false. The Kirk-Session received his oath, and merely admonished him to "repair and resort to the kirk, and to give good example to others in the good keeping and observance of the Sabbath-day, which he promised to do."

whilk persons being removed and censured, their fault is found to be very weighty, and that this their doing brought a heavy slander upon the congregation; and therefore ordains them the next Sabbath to stand barefoot and barelegged in sackcloth at the kirk door from the second bell to the third, and thereafter come to the place of public repentance to give a public confession of their heinous fault, and to declare their unfeigned repentance for the same, under the pain of excommunication if they refused.

Compulsory Attendance on Thursdays at the Preaching.—*January 6, 1594–5.* Forasmeikle as sundry both honest men and women absent themselves on the Thursday from the hearing of the Word, contrary to the ordinance of the Session made the fifth of May fourscore seven years, and ratified by the (Town) Council, therefore ordains that the next Sabbath it be intimated from the pulpit that every honest man and woman resort to the preaching on the Thursday, and the visitors on the Sabbath to visit on the Thursday also, that the Thursday's preaching may be frequented in time coming.*

A Contumacious Offender.—*April 29, 1595.* Andrew Gardner, baxter, suspected of adultery with Isabel Murdoch and Beatrice Reid, and confessed by thir said women, for the whilk the one has made her repentance, and the other is willing, refuses to purge himself by an solemn oath on an Sunday after sermon before noon in presence of the congregation, and that according to the Act of the Synodal Assembly and practice of other congregations; therefore ordains him to receive three admonitions before excommunication, and if he remain obstinate to excommunicate him *simpliciter*, seeing he hath been dealt with them two years bygone both privately, and publicly before the Session and Presbytery.

A Delicate Admission.—*Same date.* Forasmeikle as Margaret Doeg, fornicatrix with Patrick Crichton, is suspected to have abused herself with others, and that her confession is

* Mr Scott observes—"Visitors for the Thursday continued to be appointed for six or eight weeks, but they made no report on record of what they observed on the Thursday. The impropriety of such an appointment no doubt appeared after cool deliberation, and therefore, after March 3, seems to have been entirely laid aside."

feigned, therefore ordains her to purge herself by solemn oath upon Sunday next after preaching before noon in presence of the congregation, that she never had carnal deall with any other except with Patrick Crichton, whom she alleged to be her bairn's father.

Persons under Scandal not to Marry.—*July 14, 1595.* Compears Patrick Butter with Grizel Bisset, and give up their banns of marriage to be proclaimed; cautioner for the man, Adam Gray, for the woman, Walter Elder; but because the Elders are informed that the said Grizzel has committed adultery, and are uncertain whether she has satisfied therefor, she is ordained to bring a testimonial from the minister where she was before, and that otherwise her marriage should stay. *July 21*—Patrick Butter confesses his fornication committed with Grizel Bisset, and therefore appoints both the said persons to make their repentance publicly before their marriage.

A Rogue.—*July 21, 1595.* Ordains Thomas Cargill to declare his public repentance before his marriage, because that thir years bypast he gave himself out for a fool and profane sporter, walking in a foolish garment, and playing the counterfeit man, whilk is slanderous.

A Delicate Investigation.—*September 15, 1595.* Compears Andrew Moncrief with Janet Bruce, and give up their banns of marriage to be proclaimed; caution for the man, Andrew Moncrief, baxter; for the woman, Patrick Bruce, her father. The Session, understanding that there is an open slander and bruit that Andrew Moncrief had carnal copulation with Janet Bruce in his own wife's time, inquired of them if it was so, who constantly denied the same; and being desired to purge themselves by an oath, were willing to do the same, yet they were desired to be advised first, and thereafter give their oath before the accomplishment of their marriage. *September 29*—Compears Andrew Moncrief with Janet Bruce, and both purged them by an solemn oath before the Session that they never had carnal copulation together, and therefore craved their marriage to go forward without any farther impediment. The Session was satisfied, and yielded to their suit.

A Disorderly House.—*September 29, 1595.* It is found by trial of honest and famous neighbours, that Katherine

Durinoch receives into her house infamous persons, drunkards, and other like idle beggars and vagabonds, and that under silence of night, to the great slander of this congregation; and therefore the Session gravely admonished her to behave herself honestly, and to receive no infamous persons into her house neither by day nor by night; and if it be found in time coming that she do the same, to make her repentance publicly, and to be banished.

Two quarrelsome Beadles.—October 27, 1595. Because John Jack and Archibald Steedman tulzied in the kirk, to the great slander of this congregation, therefore the Session ordains them the next Sabbath to declare their repentance publicly, for removing of the slander. November 10—John Jack declares that he is not able continually to await upon the Session as officiar, and therefore demits his office freely, that another be appointed in his stead.

Increasing Immorality.—November 3, 1595. Compears Robert Taylor, and, after long dealing, confesses his adultery with Margaret Smith; and besides this, the Session finds him to be a man many ways slanderous in his life, as by drinking, swearing, and blaspheming the name of God, abusing of his wife by striking and dinging of her; and therefore ordains him to be punished condignly to the example of others. November 10—Compears Andrew Conqueror, after long and divers citations, and being inquired if he had carnal deall with his own servant, answers (that) he had carnal deall with her, but not in this congregation, but in the parish of Scone, where he and the woman both had satisfied for their offence, and therefore ought not to be cited by this Session. He being removed, the Session thought good he should purge himself by an oath, because he was slandered with the said woman before he passed out of this town; and therefore he, re-entering again, was desired to purge himself by an oath, whilk he refused to do, and departed; the Session therefore ordained him to be warned *de novo*, that either he purge himself by an oath, or then to be holden *pro confesso*.—Compears Walter Anderson, relapse in fornication, and confesses his second fault of fornication with Janet Logan. The Session finds he has been a very obstinate man, and disobedient to their ordinance this hail

year bypast, and therefore appoints him to be committed to ward that he may be humbled.—Thomas Watson, suspected of incestuous adultery committed with Bessy Guthry, being sundry and divers times dealt with by the Session to glorify God by a simple confession, plainly and constantly denied that ever he had carnal deall with the said Bessy; and therefore ordains him the next Sabbath to present himself in the midst of the kirk after preaching afore noon, and purge himself by an solemn oath in presence of the congregation.

A Sunday Order.—*November 17, 1595.* The Session ordains that it shall be publicly intimated out of pulpit the next Sabbath, that no plaids nor clothes be hung over stairs on the Sabbath, under the pain of six shillings eight pennies (Scots, or sixpence sterling) to be paid by the doers hereof.

Tyranny of the Kirk-Session.—*December 8, 1595.* It is found and tried that the Laird of Innernytie,* excommunicate Papist, was received and entertained in Gabriel Mercer's house by the space of three days, notwithstanding that intimation was made out of the pulpit that none should receive him in lodging within this congregation; but, because the most part of the Elders were absent, refers this matter to a more full Assembly. *December 15*—The Assembly being fully convened, and having tried the fault of Gabriel Mercer, in whose house the Laird of Innernytie, excommunicate Papist, was received and entertained, has concluded for the most part that the said Gabriel shall the next Sabbath, after the sermon before noon, in his own place give publicly a declaration of his negligence and oversight in receiving the excommunicate person foresaid, that others may learn by his example not to do the like.†

A Toper.—*December 22, 1595.* Compears Finlay M'Kinness, and confesses he brake the Sabbath by absenting himself from hearing of the Word, and drinking in taverns with Highlandmen; and therefore ordains him to make his repentance, and pay an penalty, according to the Act of Parliament.

A Traveller examined.—*Same date.* Compears Alexander

* The Laird of Innernytie's family name was Stewart.

† Mr Gabriel Mercer's offence was aggravated by the circumstance that he was at the time a member of the Kirk-Session.

Lowrie, and being inquired by the Ministers * if in his last being out of this country he had been in Spain, answered, that he was in Portugal, but was never present at Mass, neither gave reverence to any procession, and that he was never demanded by them concerning his religion. The said Alexander being removed and censured, it was thought good by the Session that he should be admonished not to travel to these parts again except that they were otherwise reformed in religion.

Sabbath-Breaking.—*December 29, 1595.* Compears John Spens, who brake the Sabbath by absenting himself from the hearing of the Word, accused also for his unreverent behaviour to the Minister and Bailie being visiting the families, and therefore ordains him to be committed to ward, until he be humbled, and find caution to do his duty.—James Drummond, Elder, reports that John Wilson, merchant, with sundry others was at the Fair of Fowlis, where on the Sabbath-day they set forth their stands to sell and make merchandise; and likewise Constantine Melice, Elder, reports that the said John Wilson was at the mercat of Crieff, and travelled thither on the Sabbath; and therefore the Session ordains the said John Wilson, with the rest of his neighbours, profaners of the Sabbath, to compear before them the next day for trial of this matter.—Mr George Ruthven, chirurgion, gives in a bill of complaint upon Archibald Steedman, declaring and regretting that the said Archibald had profaned the Sabbath sundry and divers times by shaving and polling gentlemen and strangers on the said Lord's Day, as James Stewart of Achmadoes, the Laird of Redhall, and John Windiegates, katour † to his

* Perth had now two Ministers who were colleagues—Mr John Malcolm, and Mr William Cowper, who had been previously minister of Bothkennar in Stirlingshire, and was afterwards Bishop of Galloway and Dean of the Chapel-Royal of Holyrood Palace. On the 23d of June 1595 it is recorded—"Whilk day the Session being convened, all in one voice, after sundry and divers times hearing of Mr William Cowper, nominate by the Commissioners of the General Assembly, Synodal, and Presbytery of Perth, have allowed his doctrine, and at his returning shall accept of him to be their minister and fellow-labourer with Mr John Malcolm their present minister." Mr William Cowper attended the Kirk-Session for the first time on the 29th of September.

† Caterer or provider.

Majesty. The said Archibald, being accused and tried, is found guilty of the breach of the Lord's Sabbath, and therefore the Session ordains him the next Sabbath to compear in the place of public repentance for the foresaid offence.

Frail Confessions. — *January 5, 1595-6.* Compears Isabel Elder, being charged to this day because she was suspected to have abused herself by whoredom with sundry men, and her formal deposition falsified and controuled; and now again, after long dealing by the Minister and Session on the one part, and constant denial by her on the other part, at last confesses her adultery committed with Henry Adamson,* to whom she is presently with bairn, as she alleged, and confesses that the said Henry had carnal deall with her about Whitsunday last in Patrick Mathew's ale-house once and no more. The Session ordains Henry Adamson to be charged to compear before them how soon he comes to the town. *January 26, 1595-6* — Compears Henry Adamson, to whom it was declared that Isabel Elder had confessed and declared that she was with bairn to him, and that he had carnal deall with her, and therefore it was craved of him that simply he would declare the truth in that matter. He answered, that neither had he carnal deall with her, neither is the bairn his; and therefore the Session has ordained him to purge himself publicly by an oath before the congregation, according to the practice used, otherwise to be holden *pro confesso*. *February 9* — Compears Eupheme Burns, and confesses her adultery committed with Thomas Scott, and likewise confesses that she of before being put in the Thief's Hole by the Bailies, the lock and irons were broken by Jean Brown, spouse to Thomas Dow, and one Anne Duff. The Session ordains the said persons to be tried, that order may be taken with them.

Keepers of disorderly Houses. — *April 19, 1596.* Katherine Durinoch was delated by the visitors to have been absent from the kirk in time of preaching, who, being called, compeared, and confesses the same; and therefore the Session judge her to be a breaker of the Sabbath, and ordains her to be committed to ward until she pay an merk (Scots, or 1s. 1d.

* The Dean of Guild, notorious as the paramour of Jean Thornton, the wife of Oliver Peebles.

sterling) according to the Act of Parliament.—Helen Lowden likewise was delated to have been absent from the kirk in time of preaching; and farther it was declared by some of the Session that the said Helen was such a person as received into her house infamous persons, as beggars, idle bellies, and vagabonds, to the great slander of this congregation. She being called, compeared, and confessed her break of the Sabbath, but denied that she at any time received into her house infamous persons; yet the Session, being persuaded of the contrary, ordained her for the present to be committed to ward until she pay an merk (Scots) according to the Act of Parliament; and farther declared to her, if at any time she shall be found to receive any infamous persons, she should be banished the town as an woman unworthy to have residence in any Reformed congregation, whereunto she willingly condescends.

A Landlady rebuked.—May 17, 1596. Compears Agnes Robertson, spouse to Duncan Robertson, and was rebuked, first, for her disobedience, being so often charged to compear before the Session; and, secondly, for selling of wine in her house on the Sabbath in time of preaching, and in special to the Laird of Niddery,* and to certain others with him. She confesses she has offended by not compearing, being so often charged, but denied she had sold any wine in time of preaching on the Sabbath since she was admonished. It was declared to her that the Bailie and Elders, visitors for the time, deprehended the Laird of Niddery drinking in time of preaching. She declared on her conscience that none was sold to him in time of preaching, but that whilk he drank was given to him and his company before the last bell was rung. The Session, having advised, gravely admonished her to take good tent to her house and to herself in time coming, and to keep the Lord's Sabbath, and no ways to profane it, and to give obedience when she shall be charged before them.

A "Fair Maid" imprisoned.—May 24, 1596. Compears

* Wauchope of Niddry, whom Archbishop Spottiswoode notices very unfavourably under date 1590 (History, folio edit. 1677, p. 380), is often reported by the "Visitors" as carousing in the public-houses of Perth on Sundays.

Helen Patilloch, suspected of fornication committed with Thomas Peebles, who being inquired if at any time she had been in a quiet place with the said Thomas, or if he had carnal copulation with her, confessed she was in his mother's house, his mother Christian Doig being also present, where they drank together with him, and afterwards being shut out of her mother's house (she) passed to an woman's house at the Brigend called Long Janet, where she remained two nights; the said Thomas came to her once and no more, (and) he pressed to have had carnal deall, but she refused, and offered to give her oath that she was free of the sin of fornication, committed with Thomas Peebles or any other. The Session, understanding a great and constant slander to be of her and her familiarity with Thomas Peebles, and no confession given by her, appoints her to be committed to ward, there to remain until she be moved to confess the truth, and farther trial be had of her.

Suspected Falsehood.—May 31, 1596. The Session thinks that Thomas Bennet and Janet Duff are dissembling liars and concealers of the truth, whilk they knew well enough, and therefore ordained them presently to be committed to ward, there to remain until they give a plain confession of the truth in this matter.*

A Laird under Scandal compelled to Submission.—June 7, 1596. The Laird of Lawers,† being charged, compeared not; ordains him to be charged *pro secundo* when he was

* Those two persons had been summoned as witnesses in the trial of the life and conversation of a Jean Brown, who is said to have been a very abandoned woman. Her affluence enabled her to entertain the gallants who resorted to her house with wine, ale, and various luxuries.

† This was Sir John Campbell of Lawers, descended from a younger son of Sir Colin Campbell, the first Baron of Glenorchy. His grandson, who married Margaret Campbell, Baroness Loudoun in her own right, was created Earl of Loudoun in 1633, and was the stern Earl who was peculiarly zealous for the Solemn League and Covenant. Mr Scott says of the above Sir John Campbell—"The Laird of Lawers had a house in Perth, where he frequently resided with his family, but his moral conduct was very exceptionable. He seems to have bribed bad persons to entice simple women to come to his lodging, with whom he was guilty. There is a long confession and trial of such a woman, and of the persons who enticed her, which I excuse myself from transcribing."

apprehended. *July 19*—Compears John Campbell of Lawers, being charged to this day, and in presence of the Session, with great humility and sorrow, as appeared, confessed his manifold adulteries committed in divers places and at divers times with sundry and divers persons, and in special with one Katherine Ross, and one Cobrowne;* for the whilk he submits himself willingly to the discipline of the Kirk. The Session ordains him to compear before the Presbytery on Wednesday next. †

A Violent Offender.—*November 8, 1596.* Compears Thomas Lamb, and confesses his fornication committed with Bessie Kid, as also his offence in troubling and molesting Archibald Steedman, officiar of the Session, for doing of his office; therefore the Session ordains him to be warded, and to remain in ward until he find caution to satisfy for his fornication, and also to compear in the midst of the kirk-floor the next Sabbath, to declare his offence and wrong done to their Session and their officiar.

Resetting the Earl of Angus.—*November 15, 1569.* Jean Keir and Beatrix Scott, being accused for receiving into lodging the Earl of Angus, an excommunicate Papist, after public advertisement out of pulpit, declared that they knew him not, but were informed by his servant who came to their house that it was the Laird of Glen——. The Session think they offended in this, that he was received and known by them, they gave not intimation to the Ministry, therefore they are ordained to make their repentance.

Scolding.—*April 4, 1597.* The Session ordains Margaret Murdoch and Margaret Waddel presently to be put in ward, there to remain until they find sufficient caution to come to the cock-stool on Saturday next, to remain betwixt ten and twelve hours before noon, for their flyting and profane speeches

* Probably Cockburn. The Laird of Lawers was evidently not difficult to please in his amours.

† Though the Kirk-Session eventually triumphed over the Laird of Lawers after a long struggle, Mr Scott says that while he rendered "satisfaction" on the above occasion, he "was in fact making a mock of the discipline." On the 9th of January 1597-8, however, it is recorded that the Laird of Lawers "compeared the last Sabbath *pro quarto* in the place of public repentance" for adultery.

uttered by them against others upon the common street at the Cross, to the great dishonour and slander of this congregation.

Leaving the Parish-Church during the Preaching.—November 7, 1597. The Eldership, understanding the great abuse that is in the congregation in time of sermon, that no sooner as the hour chaps (strikes) an great number of the people rise to depart; for remedy whereof it is thought expedient that those who are accustomed to go furth be observed by some of the Elders weekly, and their names given in to the Magistrates to be punished.

A Smoky House.—November 21, 1597, Compeared Mr William Rynd,* Master of the School, and complained that he and his tenants were greatly molested by daily reek and smoke coming furth of that house sometimes possessed by James Stewart, and farther declared that his own lodging and tenement was in danger of burning, because that the nether house under his land wanted a chimney, and therefore craves that the Session would stay and inhibit any fire to be in the said house in time coming, and that the door that is in the midst may be steikin up, that the chimney which is in the south house may serve for both the houses. The Session agreed to his desire, and ordains the Masters of the Hospital *primo quoque tempore*, and with all diligence, to cause steik up the door that is in the midst of the said house, and there be no fire kindled again in the north house in time coming.

The Kirk-Session anxious to burn a Witch.—November 23, 1597. The Session ordains the Magistrates to travel with his Majesty to obtain a commission to execute Janet Robertson, sorcerer, who has been long detained in ward.†

* This Mr William Rynd was Minister of Kinnoull and Master of the Grammar School of Perth, who died on the 20th of February 1610. Another Mr William Rynd, according to Mr Scott, was travelling preceptor to John Earl of Gowrie, and his death occurred on the 9th of August 1628. He was the son of Sir Robert Rynd, an apostate priest who held several altarages, and Helen Gairns, who is mentioned as his aged survivor in 1589. Mr Scott writes in a confused manner about both the Mr William Rynds.

† The Kirk-Session eventually obtained their request. On the 9th of September 1598, Janet Robertson, Marion Macausc, and Bessie Ireland, were burnt on the South Inch as witches.

Common Offences.—*December 5, 1597.* Compears Agnes Macbeath, and confesses her fornication with William Ruthven, servant to the Laird of Weem. The Session ordains her to be warded first; next, to be put on the Cross-head; and, thirdly, to declare her repentance public three several preaching-days on the stool of repentance. *January 2, 1597–8*—Compears John Drummond with Janet Eviot, and gave in their banns of marriage to be proclaimed, promising to accomplish their marriage within forty days; cautioners, for the man, John Brown, for the woman, Angus Cairnie. Because the said persons have committed fornication before the giving up of their banns of marriage, the Session ordains them to pay forty shillings (Scots) to the poor, and the woman to cover her head, otherwise their banns shall not be proclaimed.

A Riot.—*April 24, 1598.* The Session finds the doing and behaviour of George Macgregor, Robert Fary, and Thomas Anderson to be very slanderous, and that they are worthy to be condignly punished by the Magistrates, and therefore ordains them presently to be committed to ward, and thereafter to be put to the knowledge of an inquest.*

Murder.—*May 15, 1598.* Compears Helen Orme, relict of umquhile Henry Adamson, and craved of the Session that seeing Thomas Peebles had murdered her husband, and was fugitive, that they would proceed against him with the sentence of excommunication. The Session thinks him worthy to be excommunicated, but referred the form to the determination of the Presbytery.†

* A riotous drinking and dancing occurred, in which those three men were concerned, in the house of Catherine Durinoh, who frequently figured before the Kirk-Session for keeping a disorderly house. They stole several pieces of her salt beef, which induced her to report them to the Kirk-Session.

† Henry Adamson, who was still Dean of Guild, is repeatedly mentioned as the paramour of Jean Thornton, wife of Oliver Peebles of Chapelhill. It is also already stated that he was the brother of the learned Patrick Adamson, Titular Archbishop of St Andrews, against whom the Presbyterians cherished and avowed the most deadly resentment. See an account of Patrick Adamson, his family, and his contests with the Presbyterians, till his death in 1592, in the present writer's "History of the Episcopal Church of Scotland from the Reformation to the Revolution," 8vo. Edin. 1844, p. 149–152, 157, 159, 173, 177, 178, 188–192, 196–199, 202, 203, 231–238. In an old M.S. Diary of a citizen of Perth it is recorded that Henry Adamson, who had many enemies,

A Barber-Surgeon rebuked.—July 31, 1598. Andrew Robertson, chirurgion, being accused for breaking of the Sabbath by poling and raising of the Laird of —, declared that he did it quietly, at the request of the gentleman without outgoing. The Session finds him in this point to be a breaker of the Sabbath, and therefore ordained him privately to declare his repentance before them, and to abstain in all time coming from the like, which he promised to do.

Petition of an Orphan Pauper.—August 13, 1598. David Craig, an poor boy, fatherless and motherless, gives in a bill of supplication to the Session, desiring them for God's sake to give him some support, to put him to some craft. The Session ordains the Master of the Hospital to bind the poor boy prentice to John Black, tailor, and to make an indenture between them and him, and to give the said John L.10 (Scots) to learn him the tailor craft.

Defamation of Character.—August 28, 1598. Patrick Jackson, master-miller of the Inch Mill, gives in a bill of complaint against John Kilbridie, a servant, also in the said Mill, regretting and declaring that the said John had in sundry places uttered scandalous speeches against him, tending to the great defamation of his person, being in a public common office. Therefore the Session ordained the said John Kilbridie to be charged to compear before them, who compearing and hearing the bill of complaint read, confessed that he had called Patrick Jackson thief, and offered to prove the same. The Session, after advice, found that this was criminal, and that the trial of this noways appertained to their judicature; and therefore ordained John Kilbridie to prove it before the judge ordinary, and report the same back to them this day eight days, otherwise he should be convict and holden as a slanderer, and the Act made for the repressing of public

was murdered on the street of Perth by Thomas Peebles on Good-Friday 1598. Mr Scott says—"It does not appear that the Ministers of Perth actually pronounced the sentence of excommunication against Thomas Peebles. The King disapproved of the practice of summoning capital offenders to appear under the pain of excommunication, and as the King had now more authority in the Church than usual, it is probable that he signified his will to the Session and Presbytery for them to desist." Thomas Peebles was apprehended, tried, and executed at the Cross of Perth on the 30th of May 1598.

flyters and slanderers should be put in execution against (him) in all points.

Mutual Recrimination. — *Same date.* Janet Lathangie, spouse to Robert Spence, gives in a bill of complaint upon Janet Bruce, complaining and declaring that the said Janet had uttered against her slanderous speeches, as thief, harlot, &c., the same was proven by witnesses; therefore the Session ordained the Act made for the repressing of flyters and slanderers to be put in execution against Janet Bruce. The said Janet Bruce in like manner gives in a bill of complaint against Janet Lathangie, declaring that she had uttered slanderous speeches against her, which was sufficiently proven by witnesses; therefore the Session ordains the Act made for the repressing of flyters and slanderers to be put in execution against her.

A defaulting Landlady and two hungry Lairds. — *October 17, 1598.* Agnes Grant, relict of John Smith, confesses that she being sent for by the Lairds of Grant and Tillebairne, went out of the kirk between the second and third bell to the preaching* before noon to her own house, and there furnished meat and drink to the said Lairds; and therefor the Session ordains her to pay an merk (Scots) to be employed to the use of the poor.

A Penitent. — *November 20, 1598.* Compears Thomas Lamb, and in presence of the Session confesses his great offences, first, his rebellion and offering of violence to Constantine Melice, Bailie; secondly, his breaking of the ward and irons, being put therein by the Magistrates for his former offence; and, last, his disobedience to the Session so long, being so often publicly warned out of the pulpit; and declares that he is sorry that he has committed such offences, and by them has given slander to the congregation: and for thir faults committed by him he is content to satisfy both the (Town) Council and Session, and earnestly craved for God's cause that the sentence of excommunication be not pronounced against him as he deserved. The Session ordains him first to satisfy the Council and Magistrates, to whom he did the first injury: and

* Mr Scott says — "Between the second and third bell the prayers and Scriptures were read in the church by the Reader."

afterwards, upon the report of the Magistrates of his satisfaction, they shall prescribe to him the form of his repentance.

An unnatural Son.—November 27, 1598. Patrick Cunningham, being accused for putting violent hands on his father, denied the same, yet his father, being dealt with, confesses that his son is a rebellious child unto him, and that he had put violent hands on him, struck, and dang him with his knees; therefore the Session ordained him to be put in ward, there to remain for the space of eight days, and to compear the next Sabbath in the place of public repentance barefoot and in sackcloth, there to confess his offence in presence of the haill congregation.

A Noble Lady suspected of Popery.—January 8, 1598–9. It is reported that my Lady Erroll,* of contempt absents herself from the hearing of the Word on the Sabbath and on other preaching days; and therefore the Session ordains Constantine Melice, Bailie, Oliver Peebles, Robert Mathew, and John Colt, Elders, to speak to her and try the cause of her absenting herself continually from the preaching of the Word, and, if she has no reasonable cause, to desire her to be present in time coming, otherwise the Session will proceed against her with the censures of the Kirk.

A Perth Hostelry and its Inmates.—January 22, 1598–9. William Blyth being inquired why Gilbert Car resorted to his

* This was Lady Elizabeth Douglas, youngest daughter of William Earl of Morton, and who was the third Countess. Her husband, Francis eighth Earl of Erroll, was one of the Roman Catholic Lords implicated in the conspiracy with Spain known as the *Spanish Blanks*. The Earls of Erroll had a town residence in Perth. This Earl had been gained over to the Roman Catholic cause by Mr Edmund Hay, his relative, a zealous Jesuit, who was in the employment of Spain, and his Lordship continued in the profession of that religion, notwithstanding his sufferings in person and estate for the same, till his death in 1631. On the 11th of July 1603 the Countess of Erroll was again reported to the Kirk-Session for not "resorting to hear the Word," and Mr William Cowper Minister, and two of the Elders, were appointed to confer with her Ladyship. Although the Earl her husband continued a Roman Catholic, it is singular that in the General Assembly held at Holyroodhouse, 10th November 1602, Mr Alexander Lindsay, Minister of St Madoes near Perth, afterwards Bishop of Dunkeld, reported that his Lordship was an "ordinary hearer of the Word—that he professed to have no scruples in religion—that he had provided the churches within his bounds sufficiently, and was ready to communicate upon occasion in any church where his residence was."

house, answered, that he was an common host and entertainer of strangers, who resorted unto his house, and that the said Gilbert came to his house only, as other strangers, to get lodging and entertainment upon his reasonable expenses. And being inquired why he suffered Janet Kelt his servant to be in the booth* with Gilbert Car, answered, it was of no evil intention, but because he had no room in his house, and he caused his daughter to be nightly with his own servant. The Session think this doing to be suspicious, and that he has not done the duty of a Christian master unto his servant, but has done so far as in him lay to make her an harlot, and therefore ordains him the next Sabbath-day to declare his repentance publicly in presence of the congregation.

The Cadgers and their Journeys.—March 26, 1599. It is reported that the cadgers, who resort to this town on the Saturday with fish and salt, depart on Sunday morning, profaning the Sabbath, to the dishonour of God, and evil example of this congregation; therefore the Session ordains John Jack, and Archibald Steedman, their officers, to make intimation the next Saturday to the cadgers, that none depart or travel on the Sabbath, but either on Saturday at even, or stay till Monday morning; with certification to them that if they be found to depart on the Sabbath they shall be apprehended by the Bailies to be warded, and after(wards) caused to declare their repentance publicly as breakers of the Sabbath.

Sabbath Drunkenness—a Street Scene.—April 9, 1599. Compeared James Young, officiar,† being warned to this (day), who being accused for profaning of the holy Sabbath by absenting himself from the hearing of the Word both before and after noon, and, being beastly drunk, pursuing George M'Gregor publicly with an drawn sworn to the great dishonour of God, and slander of this congregation, confesses the same. George Horne's wife declares that on the Sabbath was eight days James Young with John Murray came to her house and craved drink, and when she refused he drew out his sword, and said he should shew her another guise except she gave him drink, and so being boasted, and knowing the

* Or shop, in which were two beds, in one of which the young woman slept with another female domestic.

† Town Officer.

disposition of the man, she furnished drink to him until twelve hours, and when he was desired to go home to his own house he went into a cellar against her will, and drank until the sermon after noon was ended, and was so beastly drunken that he knew not what he did. The Session ordains him to come the next Sabbath to the kirk door barefoot and in linen clothes, and stand from the second unto the third bell, and thereafter come to the place of public repentance, and there declare his repentance publicly in presence of the congregation. Because that George Horne's wife furnished drink to James Young and his companions, as she alleged, against her will, and that the cause of her being at home in time of preaching was sickness and a disease in her dad,* the Session desired her to declare on her conscience that it was so indeed, which she did.

Misbehaviour during the Sermon.—May 7, 1599. It was reported that John Logan yesterday in time of preaching, afternoon especially, perturbed the kirk, and stayed others by his foolish behaviour from the hearing of the Word, for the which he was apprehended and put in ward, yet the Session ordains him to be apprehended again by the Bailies, to be set on the cock-stool.

Matrimonial Quarrels.—June 18, 1599. Compears David Jackson, and Isabel Jackson, spouse to Andrew Johnston, regretting and complaining on the said Andrew that he had misused them many ways, and especially the said Isabel declared that Andrew Johnstone her husband had sundry times struck her, and had shot her out of his house: and further declares that when she was coming from the kirk on the Sabbath he came and invaded her openly on the streets, and spulzeit her of her silver belt; and farther it is reported that he is a man slanderous many ways, given to all kinds of profaneness, as drunkenness, tulzeing (fighting), and oppression; and therefore the Session requests the Magistrates to apprehend him, and cause put him to the knowledge of an inquest.

Misbehaviour on the Stool of Repentance.—August 6, 1599. Margaret Mar compared in the place of public repentance, to

* The nipple of her breast—a disease common with women who are nursing.

declare her repentance for her slanderous behaviour many ways, and especially with one William Laurie; and being in that place, she sat in the back side with her face covered, and being desired by John Jack, officiar, to sit on the fore side, and uncover her head that she might be seen, she uttered words against him in a bitter manner, and extended her voice in such sort that she was heard through all the kirk in time of sermon, and so behaved herself uncomely in the presence of strangers, to the great slander of this congregation; and therefore the Session ordains her to be put in ward, and there to remain by the space of eight days, and to come the next Sabbath again to declare her repentance in a more public manner.

Sunday Recreations. — *November 19, 1599.* Compears James Maxton, being warned to this day, and being accused for profaning of the Sabbath by absenting himself from the hearing of the Word, and telling (counting) of silver at home with certain Highlandmen, confesses that he being in the kirk was sent for by some Highlandmen, who delivered to him a certain sum of money, to be kept by him until their returning back. The Session finds him by this his doing to be a profaner of the Sabbath himself, and also an occasion of profaning the Sabbath to others whom he should have taught, and therefore ordains him to pay the penalty according to the Act of Parliament.—John Gardner, James Bowman, Lawrence Chalmers, and Lawrence Cudbert, young boys, confess that they were playing at the golf in the North Inch in time of the preaching after noon on the Sabbath. The Session rebuked them, and admonished them to resort to the hearing of the Word, diligently on the Sabbath in time coming, which they promised to do. *November 26*—Robert Grant and James Grant, accused of profaning the Sabbath by absenting themselves from the hearing of the Word, and playing in time of preaching afternoon, declared that they had been in the (country), and were at the preaching in the forenoon in Scone, and in the afternoon purposed to hear the preaching here at home; but when they won over in an coble at the head of the North Inch the last bell was ringing and the ports closed, and therefore they remained in the Inch beholding the players until the

preaching was ended, and the ports opened. The Session, because they are youths of good expectation, admonished them to attend carefully upon the hours of preaching in time coming, and to cast themselves nowhere on the Sabbath, when they should address themselves to the hearing of the Word, which they promised to do.—Compears Archibald Yule, and confesses that yesterday, being the Sabbath, he was found drinking in time of preaching. The Session finds him to be a customary profaner of the Sabbath, and a common absenter of himself from the hearing of the Word, and therefore they ordain him to be warded.—William Blyth, being warned by the (Sunday) visitors to compear before the Session, compeared not, and therefore he was ordained to be warded for his disobedience, and to remain in ward until he found sufficient caution to compear the next day.

Assault in St John's Church.—*January 7, 1600.** Robert Keir accused for drawing of an whinger, and invading of an stranger called Adam Abercrombie, denied the same; yet it is found by the testimony of the Bailie, Oliver Young, before whom he had confessed it before, and Thomas Crombie, flesher, who was present with them in the kirk, that he had so done; and therefore the Session ordains.

The tender Mercies of the Kirk-Session.—*February 11, 1600.* It is reported that Peter Balmanno, Archibald Macbrek, and James Lamb,† have received Mr Patrick Stewart, apostate, excommunicate, unto their houses since that his excommunication was publicly intimated out of pulpit, and therefore the Session ordains them to be summoned. *February 18*—Peter Balmanno being inquired if at any time Mr Patrick Stewart, excommunicate apostate, was received in his house since his excommunication was publicly intimated, declared on his conscience that the said Mr Patrick was never in his house since he was excommunicated but once in an evening when himself was out of the house, and that he received neither

* The year formerly commenced in Scotland on the 25th of March, but by public authority, at the commencement of the seventeenth century, it was changed to the 1st of January in all time coming.

† Those men were evidently keepers of hostelries in Perth. The gentleman denounced was probably Stewart of Innernytie.

lodging nor entertainment. The Session admonish him that in time coming he suffer not the said Mr Patrick to come in his house to be lodged or entertained, nor yet to give him any countenance or salutation, according to the rule and precept of the Apostle.* Archibald Macbrek confesses that Mr Patrick Stewart was received, lodged, and entertained in his house, for the which cause the Session sharply rebuked him, and ordained him the next Sabbath, in his seat, to declare his repentance in presence of the haill congregation; and farther admonished him to be more circumspect in time coming, and not to suffer him or any such persons to be received or lodged in his house, which he promised to do. James Lamb confesses that Mr Patrick Stewart came to his house on a certain night late at even, but neither received lodging nor entertainment. The Session admonished him not to suffer the said Mr Patrick to be received or lodged in his house in time coming.†

Sunday Avocations.—*May 12, 1600.* Patrick Gall, Finlay Eviot, John Bennet, Lawrence Robertson, and Patrick Auchinleck, confess that their servants spread muck (dung) on the Sabbath was eight days, after the afternoon's preaching. The Session thinks them to be profaners of the Sabbath, and their doing slanderous: and therefore ordains them to declare their repentance prurly, and pay an penalty to be employed to the use of the poor. James Bowman, John Graham, John Gardner, Thomas Reid, and James Grant, confess that they offended the majesty of God by profaning the Sabbath, and walking in the fields in time of preaching. The Session rebuked and admonished them to keep the Sabbath in time coming. *December 1, 1600*—The visitors report that the Sabbath was profaned by all the taverners except John Pitcairn and Henry Balneaves, and that strangers and mercat folks were found drinking in all the taverns. The Session ordains them to be summoned and censured for their profanation of

* This is a most extraordinary perversion of Scripture.

† The above admonitions to the three hostelry-keepers are peculiarly disgraceful to the Kirk-Session of Perth. So malignant were those men towards those who differed from them, that a Roman Catholic gentleman, against whom they had issued their ridiculous and puerile "excommunication," was absolutely to be precluded from that accommodation in an inn for which he was willing to pay, because he was under the ban of a set of local tyrants.

the Lord's day. *April 13, 1601*—George Murray accused for suffering of ale to be sold in time of preaching on the Sabbath in his house, answered, that he was in the kirk himself, and his wife also, but his servant came and brought his wife out of the kirk to a daughter of Tullibardine, to give her some clothes which she had of hers in custody, and in the mean time caused fill drink to the said gentlewoman and her servants with her. The Session, understanding that the like offence has not fallen out of before in his time, admonished him to keep good order in time coming, and not to suffer either ale or wine to be sold in his house in time of preaching on the Sabbath thereafter, which he promised to do. *December 24, 1601*—Compears John Scott, flesher, being warned to this day, who being accused for his great disobedience, being sundry and divers times warned; next, for his profaning of the Sabbath by absenting himself from the hearing of the Word, and travelling to mercats on the said day; and, last, for injuring the officers when he was charged. Answered, that the cause of his non-compearance, being charged, was not contempt in his person, but his infirmity and disease of the gout, which would not suffer him to come when he was charged; next, confessed that he travelled to Foulis mercat on the Sabbath; and, thirdly, denied that he had injured the officer. The said John, being removed and censured, was convicted, first, of disobedience, because it was known that he was walking upon the streets when he should have been present; secondly, of profaning the Sabbath, because he has confessed himself he travelled to the mercat on the said day; and, thirdly, of injuring the officers, because it was testified by witnesses: and therefore the Session requested the Magistrates to put him in ward, and therein to detain him ay and until he should be brought to the knowledge of his offences, and humbled truly for the same. *December 31*—Compears John Scott, flesher, and with humility upon his knees confessed his offences, first, that he offended God by profaning the Lord's Sabbath; secondly, that he offended the Session by disobedience, being often charged, and by injuring the officer, for the which offences he desired God to be merciful to him, and submitted himself to the will of the Session.

Pauper Depravity.—*January 11, 1602.* Janet Sym confessed her sin of fornication committed with John Barrie, (a) cripple, at Midsummer last in John Macduff's house, whose servant she was for the time; and being strictly urged if any other had carnal deall with her, or was her bairn's father, declared on her conscience that none other was the father of her bairn but the said John Barrie; and likewise the said John Barrie confesses he had carnal deall with the said woman at the time foresaid. The Session, understanding that they are both poor bodies, having nothing either to pay an penalty, or to entertain themselves in ward, neither yet counted of public repentance,* therefore ordains them to be put into ward until Saturday on their own expenses, and then to be taken out by Archibald Steedman and John Jack, officers, and presented to the Magistrates, that they may be carted about the town together, and thereafter to be banished.

The "Fair City" on Sundays.—*January 11, 1602.* The visitors report that good order was kept the last Sabbath, except that they found some young boys playing at the foot-ball in the Inch, who were corrected by the Magistrate. *April 19*—The visitors report that good order was kept both before and after noon, except they found my Lady Erroll in Thomas Crombie's. *September 13*—The visitors report that good order was kept the last Sabbath, except that they found John Conqueror, Alexander Cargill, Robert Kinnear, and David Norie, afternoon in time of preaching without the Inch port standing on the shore, who were warned by Archibald Steedman to compear before the Session. Compear John Conqueror (and the others) all warned to this day, and confessed that they profaned the Sabbath by absenting themselves from hearing of the Word in time of preaching, who were censured, and sharply rebuked, and farther were admonished not to absent themselves from the hearing of the Word on the Sabbath in time coming, which they promised to do. *March 28, 1603*—The visitors report that good order was kept the last Sabbath, except that they found Alexander Moncrief, Duncan Thomson, and James Walker, fleshers, walking upon the shore in time of preaching, and therefore were presently

* That is, not considered persons of sufficient importance to undergo discipline.

apprehended by the officers at the Bailie's command, and were warded. *April* 18, 1603—The Visitors reported that good order was kept the last Sabbath, except that they found some drinking in George Murray's house in time of preaching, who at the command of the Bailie-Visitor were apprehended by the officers, and put into ward.

Defiance of the Kirk-Session.—*December* 11, 1602. It is reported that John Moncrief, excommunicate, resorted into this town, and walked daily on the streets, resorted to the kirk, and to all societies, as if he were not excommunicate, therefore it was ordained that his excommunication should be intimated of new again the next Sabbath; and farther, the Minister requested the Magistrates to take order with him hereafter, and not suffer (him) to walk openly on the streets, to the dishonour of God and slander of this congregation.

Drunkards.—*May* 23, 1603. James Paterson, Patrick Lamb, and John Dykes, were convicted of drunkenness, for the which they were rebuked, but especially John Dykes, because he is accustomed to drunkenness, who promised to abstain in time coming, and obliged himself, that if ever he be found drunken in time coming, for every time he should (pay) forty (shillings), to be employed to the use of the poor.

Suspected Women.—*August* 1, 1603. Because that Elspith Grant dwells by herself, keeping an house for whoredom, and has fallen before in the sin of adultery, and lately in fornication, and after that she has declared her repentance has received harlots into her house, making her house as it were a brothel, and a common receptacle of loose and debauched persons, therefore the Session ordains her presently to be put in ward, there to remain until she find caution to remove out of the town. Isabel Grant likewise was ordained by the Session to take her(self) to service presently, with certification that if she failed she should be banished for ever. Agnes Gray, Violet Wall, and Janet Karne, young harlots dwelling by themselves, were ordained to take them(selves) to service shortly, under the pain of perpetual banishment. *August* 8—Agnes Macgibbon, suspected of loose behaviour, was gravely admonished by the Session to live honestly, and take her(self) to service.

Golf-Playing on Sunday.—*January 2, 1604.* The Visitors report that good order was kept the last Sabbath, except that they found some young boys playing at the gowf in the North Inch in the time of preaching after noon, who were warned then by the officers to compear before the Session this day. Compear Robert Robertson, William Stenis, Andrew Donaldson, Alexander Niving, Adam Paul, Robert Meling, all warned to this day, who were convicted of profaning the Lord's Sabbath by absenting themselves from hearing of the Word, and playing at the gowf in time of preaching; and therefore the Session ordained, first, Robert Robertson, who was ring-leader to the rest, to pay an merk to the poor, and, secondly, ordains him and the rest to compear the next Sabbath into the place of repentance, there to declare their repentance in the presence of the whole congregation.

Expulsion of Highland Beggars.—*March 11, 1604.* Because that the town is overburdened with strange beggars resorting in great numbers out of the Highlands, who trouble honest men in the streets, especially on the Sabbath-days, and are a great hindrance to the collection for the ordinary poor, therefore the Session ordains John Jack, officiar, to search and apprehend them, and with all diligence to remove them out of the town.

Examination of a Traveller.—*March 26, 1604.* Because there is a suspicion that Alexander Macbreck, in his absence out of the country last, has travelled into idolatrous places, and has made desertion from the truth and true religion professed and embraced in this country, therefore the Session ordains him to be warned to this day eight days. *April 2*—Compears Alexander Macbreck, warned to this day, who being inquired what was his behaviour the last time of his being out of the country, and especially being inquired if he had been in Rome, or received any benefit of the Pope, confessed that in his last being out of the country he resorted to idolatrous places and kirks, and went there to pray to his God; confessed he was in Rome, saw the Pope,* but received no benefit from

* Clement VIII. (Ippolito Aldobrandi, a native of Fano), who filled the Pontifical Chair from 1592, when he succeeded Innocent IX. (Gian Antonio Facchinetti of Bologna), till his death in 1605.

him. The Session remitted him to be tried by the Synodal Assembly to be holden this next week in Perth.*

Matrimonial Recriminations.—April 30, 1604. Compeared John Macwalter, warned to this day, who being accused for absenting himself from the examinations, being often warned, and likewise for absenting himself from the Communion, and, last, for striking and abusing of his wife; answered, that he was at variance with some of his neighbours, and therefore he absented himself from the examination and Communion, and, next, declared that his wife is disobedient to him, and refuses to make him compt and reckoning when she gets his gear, which he gets in craved from honest neighbours. His wife also declared that the said John her husband abused her many ways, striking her with (his) hands and feet, and pursued her with an drawn whinger, and lately hurt her with an knife on the shoulder. The Session finds that he is a profane man many ways, and therefore ordained him to declare his repentance, and admonished him to live in concord with his wife, and her to behave herself towards him more obediently in time coming, which they promised to do.

Sunday Dancing.—May 7, 1604. David Chapman was convicted of profaning the Sabbath by going to Ruthven to see profane and lascivious dancing, and absenting himself from the hearing of the Word, and therefore was rebuked. May 14—William Stenis, Adam Paul, Patrick Whyte, James Cudbert, Robert Anderson, James Jack, Alison Corbie, Janet Thomson, were convicted of profaning the Sabbath by absenting them (selves) from the hearing of the Word, and going to Ruthven to behold lascivious and profane dancing, and therefore were rebuked. May 21—William Jackson and William Wilson were convicted of profaning the Sabbath by absenting themselves from the hearing of the Word, and resorting to the

* This Alexander Macbreck was probably a descendant of Alexander Macbreck, Provost of Perth in 1524, who that year, with the sanction of an assize, sentenced John Hutchison for breaking his banishment from the burgh, John Pearson for stealing two cows, John Brown for stealing a cow, and John Butcher for stealing a grey mare, to be hanged. On the 18th of April of the previous year Chalmers, Sheriff of Perth, condemned Margaret Lockhart to be "drowned under the water until she be dead," for stealing a silver belt and pot.

dancing in Ruthven, and therefore were rebuked. *June 4*—Because the Sabbath is profaned at even by lasses and young women singing, knocking, and dancing lasciviously under stairs, to the great dishonour of God and slander of this congregation, therefore the Session ordains a visitation to be every Sabbath from this time forth (at even) for repressing the same.*

Another Visitation of the Plague.†—June 4, 1604. Because that the Lord's anger appears to continue by this fearful and devouring pestilence spreading itself in sundry parts of the land, therefore the Session has appointed a fast to be the next Sabbath, and for this effect intimation to be made publicly out of pulpit on Thursday next.‡

A Slanderer of Mr William Cowper, Minister.§—October 3, 1604. Whilk day, in presence of the Bailies, Ministers, and Elders of the burgh of Perth convened within the revestry, William Hay, litster (dyer), burgess of Perth, being accused upon the uttering by him yesternight in John Stewart's fore-chamber of certain vile, slanderous, and abominable speeches against Mr William Cowper, Minister of Christ's Evangel at the said burgh; to-wit, that the said Mr William was ane false common thief, and that he should have been hanged, and

* Notwithstanding this denunciation, the young women of Perth continued the practice of assembling in groups under the outside stairs, and on the streets, after supper on the Sunday evenings. On the 3d of September of the above year, seven of them were summoned before the Kirk-Session for this offence, rebuked, and ordered to be imprisoned by the Magistrates.

† The epidemic which ravaged Perth in 1584-5 carried off no fewer than fourteen hundred and twenty-seven persons.

‡ On the 27th of August the two following Sundays were set apart for the like purpose on account of the continuance of the plague "seeming to draw nearer" to Perth.

§ The future Bishop of Galloway, who was a most worthy, pious, and learned man, in his short narrative of his own life, records the annoyances he encountered at Perth from the slandering propensities of the citizens—"All the time of my residence (for) years continued this battle, as one left off another renewing the battle;" yet he quaintly adds—"I esteemed them but like the bitings of a flea." On the 25th of October 1801 the Town-Council ordained the Dean of Guild to convene the Guildry, and to "inquire of them who was the author of the infamous bill against Mr William Cowper and Mr Henry Elder, Town-Clerk." The Guildry reported that they knew nothing of the matter.

were it not the said William Hay he had been hanged, yet he should have him hanged—who would not?—and who would take his part?—and that he should improve him in the Scriptures. These slanderous speeches (were) uttered before Patrick Fleming, merchant, William Robertson, notary, John Robertson, merchant, Thomas Fleming, son to the said Patrick, John Gall and James Marshall, merchants; whereto the said William Robertson answered, Mowis (jest) or earnest? Whereto the said William replied—Earnest, and bade the said William Robertson take it as he thought it. To which he (Robertson) replied again, that he (Hay) lied like a knave. Thereafter the said William Hay drew ane whinger, and pressed to have stricken the said William Robertson, and called him ane common thief. Farther, being accused if he said that Mr William Cowper was passing to England to London, and ere he came home would wear a surplice and a four-nooked (cornered) bonnet. All these particular heads above written the said William Hay being accused upon, granted that it was but in mowis' (jest) that he spake anent Mr William's hanging, and farther denied that he called him common thief, and also denied that he said he should (could) improve him in the Scriptures; but only said that Mr William shewed no pity to the poor man* that was in ward. And the said Patrick Fleming, John Robertson, John Gall, and James Marshall, being called, sworn, and admitted in presence of the said William Hay to testify the verity of the said matters, nothing being objected against them, and each of them being severally examined, deponed that they heard the former slanderous and abominable speeches uttered by the said William Hay against the said Mr William (Cowper) and William Robertson. Farther, the said Bailies declared that this day, in the morning before eight hours, when this matter came to their knowledge, they took purpose to take and apprehend the said William, and put him in ward; and having apprehended him within his own dwelling-house, and accused him upon the said slanderous speeches, they heard him answer and say that he

* Apparently one Robert Blair, dyer, against whom the Kirk-Session pronounced a severe sentence on the 10th of September for slandering Robert Matthew, Dean of Guild.

spake such speeches but in mowis. The (Kirk) Session takes to be advised upon the premisses with the Presbytery.*

A Piper on Sunday and an Assault.—July 15, 1605. George Clerk, piper, was convicted of profaning the Sabbath by playing into Scone, for the which he was sharply rebuked, and promised not to do the like again. John Gibson was convicted of profaning the Sabbath, first, by his drunkenness; secondly, by absenting himself from the hearing of the Word; thirdly, in his drunkenness by troubling an young woman going to the kirk, and violently taking her cloak from her in presence of the Laird of Garntully and his lady, and sundry others: therefore the Session, first, ordains him to be put in ward, therein to remain by the space of twenty-four hours; secondly, to pay an penalty according to the Act of Parliament; and, thirdly, to declare his repentance publicly the next Sabbath.

A Matrimonial Advice.—September 2, 1605. Sir William Stewart with Agnes Moncrief confessed mutual promise of marriage, desiring their banns to be proclaimed. They were warned to keep their bodies clear, and to accomplish their marriage within forty days, under the penalty of L.10 (Scots) to be employed to the use of the poor, which they promised to do, and for this effect consigned pledges.

A Poor Traveller.—September 16, 1605. The Session ordains James Souter, an poor traveller, who is greatly impoverished by the loss of his horse, to have L.10 (Scots) for his support; and because that they have not prompt money to help him, request Mr Henry Anderson, one of their Elders, to furnish it, promising to refund it again unto him of the readiest of the casualties.

New Stool of Repentance.—September 23, 1605. Because that the sins of fornication and adultery do increase more and more among us, to the great offence and dishonour of God, and slander of this congregation; therefore, for repressing of thir sins, the Session ordains a more public place of repentance to be biggit with all diligence, and in it certain

* Mr Scott says—"The Records of Presbytery before the year 1618 are not extant, therefore it does not appear what advice the Presbytery gave to the Session."

degrees, that therein fornicators and adulterers may be distinguished and better discerned both by their place and habit.*

A Discontented Parishioner. — *January 5, 1607.* Mr William Cowper, Minister, complained upon Robert Keir that he had disdainfully spoken of his doctrine. The (Kirk) Session ordained him to be warned to the morrow. *January 6* — Whilk day compeared Robert Keir, being warned, and being accused if he had spoken disdainfully of Mr William Cowper's preaching, denied the same; therefore the said Mr William took it to prove upon Monday next specially by Robert Fleming, who was ordained to be charged to the said day, and the said Robert Keir warned *apud acta*. *January 12* — This day being assigned to Mr William Cowper to prove by witnesses the slanderous speeches uttered by Robert Keir against his preaching, compeared Robert Fleming, warned to this day, and Robert Keir being inquired if he had any thing to say against Robert Fleming, why he should not be witness in the matter and cause foresaid, answered, he had nothing. Robert Fleming being admitted and sworn, declared, that when he came to Robert Keir as (Town) Treasurer, and desired him to pay for the minister's coals, he answered — "Mr William preached against me the last day; let him preach against me the next day; the d——l a penny I'll pay for coals." The Kirk (Session) called the said Robert, and desired him to confess his offence, which he refused to do, and therefore the (Kirk) Session remitted him to the Presbytery.

A Fair Penitent's Remission. — *December 7, 1607.* Sibilla Cochran, adulteress, gave in a bill of supplication, declaring that she had compeared every Sabbath by the space of half a year into the place of public repentance, and desired for God's cause to be received. The Session ordained her to compear the next three Sabbaths barefoot and in linen clothes, first at the kirk door betwixt the second and third bell, and therefore to come to the place of public repentance, and so to be received.

* Mr Scott says that this repentance-stool continued long in St John's Church, and was pulled down a few years previous to 1775 by some persons unknown, after which the Kirk-Session used one of their own pews for the purpose; and in Mr Scott's time they hired one in the East Church belonging to the Town-Council.

A Street Frolic.—*February 6, 1609.* It was reported that on Tuesday at even last ives Andrew Johnstone and his wife, James Jackson and his wife, David Jackson and Helen Hynd, went through the town disguised, with swords and staves, molesting and hurting sundry persons; and therefore the (Kirk) Session ordered them to be warded to this day eight days. *February 13*—Compeared Andrew Johnstone and Janet Cunningham his spouse, James Jackson and — Stobie his spouse, David Jackson and Helen Hynd, all warned to this day, and being inquired why they went out disguised about the town on Tuesday last ives, at ten and eleven hours at even, with swords and staves, troubling and molesting their neighbours on the streets whom they met; answered—That after they had all supped together they had resolved to go about the town of no evil purpose or intention but merriness, and denied that they molested any. They being removed, it was instantly found that they were disguised, namely, Andrew Johnstone's wife having her hair hanging down, and a black hat on her head; her husband Andrew Johnstone with a sword in his hand; David Jackson having a mutch (woman's cap) upon his head, and (dressed in) a woman's gown; as Constantine Melice, Bailie, and sundry others declared, and that they hurted and molested sundry persons. The (Kirk) Session finds their doing to be slanderous, and that because the pestilence still continues amongst us, and all these persons lately come in from the fields, when the botch and boyl was on their persons; and has ordained them to be condignly punished, first, to be put in ward presently, there to remain all together until the Sabbath; and next, because their fault is public and notorious, to come altogether the next Sabbath in linen clothes to the place of public repentance, there to confess their heinous offence, and to be rebuked as dissolute and licentious persons in presence of the whole congregation.

Sunday Offenders and Regulations.—*March 20, 1609.* The Visitors report that good order was kept the last Sabbath, except that some boatmen of Dundee were found loosing some victual in time of preaching, and therefore were put in ward by the Magistrate. *March 27*—The Visitors report that good order was kept the last Sabbath, except that they found

Henry Allan and John Murray transporting victual in time of preaching, and therefore were apprehended by the Magistrate and put in ward. — William Williamson, Bailie, caused an officiar bring Henry Allan and John Murray, and presented them before the Session, who were convicted of profaning the Sabbath by absenting themselves from hearing of the Word, and transporting of victual in time of preaching; therefore the Session ordained them to declare their repentance publicly in the kirk the next Sabbath, and put them again into the hands of the Magistrate, to be punished according to the Act of Parliament. The Session ordains that all persons whatsoever that be found profaning the holy Sabbath, especially in time of preaching before or after noon, drinking in taverns or ale-houses, or vaging in the fields or streets, to be apprehended by the Magistrate-Visitor for the time, and put in ward, there to remain until the preaching after noon be ended; and for this effect ordains a meeting from this time furth every Sabbath immediately after the preaching after noon, that all profaners of the Sabbath may be called and censured; and the Magistrates promised their concurrence and assistance. *August 13*—The Visitors report that good order was kept the last Sabbath, except that they found some skinner boys playing into the North Inch in time of preaching before noon, and some drinking into the Meal-Vennel after noon, who were warded by the Magistrates.

The Difficulties of an intended Benedict.— *December 25, 1609.* Compeared Andrew Gray, regretting and complaining that he had delivered a testimonial directed from Mr James Smith, Minister of Erroll, to Mr Alexander Balneaves, Reader, for proclamation of his banns of marriage, which the said Mr Alexander neglected, and he knew not upon what occasion. It was answered unto him by the Ministers (that) he was under a public slander for the sin of fornication committed by him within the parish of Inverkeithing, for the which he had not satisfied that kirk by declaring his public repentance, and therefore the public proclamation of banns was stayed. The said Andrew answered, that he had satisfied indeed by declaring his public repentance; and being inquired if he had an testimonial of his satisfaction and public repentance, answered, he

had it not for the present, but that it should be had before his marriage, and therefore desired that the public proclamation of his banns might be no longer impeded. The said Andrew being removed, it was ordained by the Session that his banns of marriage should be publicly proclaimed the next Sabbath for the first time, and he should report from the Minister and Kirk-Session of Inverkeithing a sufficient testimonial of his satisfaction to their kirk for his sin of fornication, committed within their congregation, betwixt and the Sabbath come eight days, otherwise all farther proclamation to stay. The said Andrew being called upon, and the ordinance and will of the Session being intimated and declared unto him, he took the testimonial presently out of his pouch (pocket), and produced it in presence of the whole Session. The Session thought that by his form of dealing they were eluded and mocked by him, and therefore were highly offended. *January 1, 1610*—Compeared Andrew Gray, who complained that notwithstanding the last day of Session an ordinance was made for public proclamation of his banns of marriage the last Sabbath, yet again it was neglected and stayed by Mr Alexander Balneaves, Reader, and desired to know upon what occasion the proclamation was stayed. It was answered unto him by the Ministers, that the proclamation of his banns was stayed justly for three reasons and causes. The first was, because the last day of his compearance before the Session he had eluded and misled the Session by saying, first, he had not an testimonial of his satisfaction of the kirk of Inverkeithing when it was sought, and afterwards producing it; secondly, because since his last compearance before them a letter was directed from the Ministers of Edinburgh with (about) an gentlewoman called Margaret Bailzie, with whom he had committed fornication, declaring that she had promise of marriage of him; thirdly, because his servant woman was fugitive with bairn begotten in fornication, which was alleged to be his. The said Andrew answered, that he never made promise of marriage to the said Margaret Bailzie, and if the Session would cause her be confronted with him presently in their presence, he would give his oath that he never made promise of marriage; and as concerning the woman who was fugitive with bairn, and that

the bairn was alleged to be his, answered, she was not his hired servant, but sometimes resorted to his house, and, when she pleased, departed again, and plainly affirmed that for the present he knew not where she was. It was declared unto him by the Ministers that they were informed she was his hired servant, who long had remained in his house, and, therefore, seeing now she was fugitive under a slander of fornication, he should exhibit her before the Session, that she might be tried, and the slander removed, otherwise he would neither get the benefit of proclamation nor yet of marriage. The said Andrew, hearing this, departed malcontent, and said he should mend himself as he might. *January 5* — It was declared in presence of the Session that Andrew Gray was married the last Tuesday in the kirk of Inchtute, by Mr Alexander ———, Minister at the said kirk. The Session being certainly informed that Andrew Gray has sought and got the benefit of marriage without public proclamation of his banns in his own parish kirk, and without any testimonial sought or given to him according to the laudable custom of the Kirk, joining this disorder with his former slanders and contempt of the discipline established in the Kirk, whereupon great slander and offence have ensued not only in this town, but also in other parts of the country; therefore the Session have all, with one consent and advice, ordained the said Andrew to be publicly cited out of pulpit the next Sabbath, to compear before them in the place and house of their Session on Tuesday next, the 10th day of this instant, with certification, if he compear not (in) the said place to satisfy for his great disorder and proud contempt of the Kirk, they will proceed against him with the sentence and censure of excommunication. *January 9* — Andrew Gray, being warned to this day, and called upon, compeared not, and therefore the Session ordained him to be cited out of pulpit publicly the next Sabbath *pro secundo* to compear before them in the place of their Session on Monday next, the 15th day of this instant January, with certification, if he compear not the said day and place, they will proceed against him with the censure and sentence of excommunication. *January 15* — Compeared Andrew Gray, publicly cited by Mr John Malcolm, Minister, to this day *pro secundo*, who in humility confessed his offence, and put himself into the will

of the Session, to be censured by them as they shall think expedient. Because his offence was great, therefore the Session takes (time) to be advised further of his censures. *January 19* — Compeared Andrew Gray, who in humility as of before confessed his offence, and put himself into the will of the Session. The said Andrew being removed, and the Session, considering the greatness of his offences, thought he deserved to be corrected in severity; yet because of his humble submission they have mitigated his censure, and ordained him to compear three several days into the place of public repentance, viz. on Sunday next, Thursday, and Sunday come eight days, that by his public repentance the slander might be removed.

Tyranny of the Kirk-Session. — *June 18, 1610.* Compeared Alexander Crichton, who was convicted by his own confession of haunting and frequenting the company of Robert Crichton, excommunicate Papist, eating and drinking with him in taverns, and walking (with him) on the streets; and therefore the Session ordained him to declare his repentance publicly the next Sabbath in his own seat. *July 16* — Because that Alexander Crichton has not obeyed the ordinance of the Session in declaring his public repentance for frequenting the company of Robert Crichton, excommunicate Papist, therefore they requested the Magistrates to put the said Alexander in ward, therein to remain ay and until he find sufficient caution to satisfy their former ordinance.

This was among the last acts of the Presbyterian Kirk-Session of Perth, before that body became Episcopal, which it continued from 1611 to 1639. Bishops were duly consecrated in 1610, and the Spottiswoode Succession was continued till the Covenanting rebellion in the latter year. In the General Assembly held at Glasgow on the 8th of June 1610, which Calderwood designates a "woful Assembly," the Archbishops and Bishops were authorized to hold and preside in Diocesan Synods, the summoning of which was acknowledged to belong exclusively to the King; and no persons were to be excommunicated or absolved from that sentence, without the knowledge and approbation of the Bishop of the Diocese, who was to be answerable for his conduct solely to the King. Several other

regulations were enacted and ratified; every Minister was prohibited to utter any dissent from the pulpit against the proceedings of that Assembly, and Presbyterianism was for nearly twenty-eight years utterly prostrated. One of the Instructions enjoined by King James was the definition of the functions of lay Elders:—"Considering," it is stated, "that lay Elders have neither warrant in the Word (of God), nor example of the Primitive Church, and that nevertheless it is expedient that some be appointed to assist the Minister in repairing the fabric of the (parish) church, providing elements to the holy Communion, and collecting the contribution for the poor, with other necessary services, the Minister is to make choice of the most wise and discreet persons in his parish to that effect, and to present their names to the Ordinary, that his approbation may be had thereto;" and also "the Ministers of the parish be authorized to call before them and their associates so allowed all public and notorious offenders, and enjoin the satisfaction according to the Canons of the Church, or if they be obstinate and contumacious, declare their names to the Bishop, that order may be taken with them." Although the change to Episcopacy afforded them no relief from the supervision of the Kirk-Sessions, multitudes even of the peasantry beheld the legal suppression of Presbyterianism without regret, evincing no opposition to the establishment of the Episcopate in 1610. This was particularly the case with the citizens of Perth, as appears from the Kirk-Session Register, and the only objectors were some of their Ministers, who, however, merely opposed a few of the minor ecclesiastical arrangements. The worthy burgesses of the "Fair City" unanimously conformed to Episcopacy after 1610, and it is remarkable that a greater number of their Ministers became Bishops of the first and second Consecrations than those of any other city in Scotland. The celebrated "Five Articles of Perth," ratified in the General Assembly held there in 1618, were acknowledged by the citizens; and it is duly recorded, under date 5th March 1619, that as respects Kneeling at the Communion, the Kirk-Session "all agreed in one that the celebration thereof be made according to the said Act."

THE EPISCOPAL KIRK-SESSION.

THE MOST REVEREND GEORGE GLADSTANES, D.D., ARCHBISHOP
OF ST ANDREWS, PRIMATE, AND METROPOLITAN.

MINISTERS OF PERTH—MR JOHN MALCOLM AND MR WILLIAM COWPER.

THE Titular or Tulchan Episcopate was constituted in 1571, when, on the 18th of August, Mr John Douglas, originally a Carmelite Friar, Rector of the University of St Andrews, a cadet of the Earl of Morton's family, was appointed nominal Archbishop of St Andrews, and as such he attended the Parliament or Convention held at Stirling on the 28th of that month. John Porterfield was about the same time appointed Titular Archbishop of Glasgow, and James Paton to the See of Dunkeld. Some of the other Bishoprics were not vacant, and the nomination of the Titulars was delayed in several cases till a future period.

This anomalous and visionary state of affairs was in existence at the accession of James VI. to the English Crown in 1603, after which the King resolved to introduce something like ecclesiastical order among a rude and hitherto wretchedly instructed people. Of all the former Titulars, Campbell of Brechin was the only one alive, and though he continued to exercise the function of a preacher at Brechin till his death in 1606, he also retained his seat in the Parliaments. In 1600 George Gladstanes, a native of Dundee, successively Minister of Arbirlot in Forfarshire and of St Andrews in Fife, was nominated to the Titular Episcopate of Caithness, from which he was removed to the Archbishopric of St Andrews in 1606. This commenced his connection with Perth, which is within the ancient Diocese of St Andrews. His contemporary as Titular Archbishop of Glasgow, was his successor John Spottiswoode, who was appointed in 1603, and not in 1610, as Bishop Keith states, when the See of Glasgow became literally vacant by the death of Archbishop Beaton at Paris—the last survivor of the Prelates of the Roman Catholic Hierarchy.

The first Scottish Parliament after the accession of James VI. to the Crown of England was summoned to be held at Edinburgh on the 10th of April 1604, and John third Earl of Montrose, grandfather of the great Marquis of Montrose, was constituted Lord High Commissioner. This Nobleman was then also Lord Chancellor—an office which he held till December of that year, when he was appointed Viceroy of Scotland, the highest honour which a subject could attain. The Parliament was adjourned to the 24th of April, when the Titulars of Glasgow and Caithness were present. On the 26th the Lords of the Articles were chosen, among whom were the Titulars of Glasgow, Caithness, Dunkeld, Ross, and Brechin. The Parliament was prorogued till the 3d of July, when it met at Perth, on account of an alarming pestilence which prevailed in several districts, and ravaged to an alarming extent the Scottish metropolis. A Commission for a Treaty of Union with England was issued on the 11th, the members of which were to report first to the King, and then to the Parliaments of Scotland and England. This was followed by a short "Act in favour of the Kirk," which merely ratified all former Acts "in favour of the Kirk and Religion presently professed and established within this Realm of Scotland," and confirming the Acts against "Jesuits, Papists, Seminary Priests, and their reseters." The more zealous Presbyterians, doubtful of their peculiar position, renewed their subscription of their then Confession of Faith, and held meetings first at St Andrews and afterwards at Perth, the latter of which was attended by some of the Titular Bishops, who conducted themselves with great moderation, and even joined in a petition to the King that a General Assembly would be allowed.

In addition to the establishment of the Titular Episcopate, letters were issued in February 1606–7 from the Privy Council, ordering every Presbytery to accept a *Constant Moderator*. The whole of them, some with reluctance, accepted the Constant Moderators to preside over them; and it was arranged that the Bishops were to act as Moderators of the Provincial Synods in their respective Dioceses. The Constant Moderators of the Presbyteries were to be responsible to the Moderators of the Synods, and to the whole Synods. If guilty of any offence,

the former were to be removed after a lawful trial, and the worthiest member of the Presbytery was to be preferred in his place. Every Presbytery was to elect two members or commissioners to the General Assemblies; and it was even conceded that in the case of the Moderators the Presbyteries were not compelled to accept any particular individual if they had any objections to his life and doctrine.

Though the Presbyteries accepted the Constant Moderators, the rebellious leaven threatened to ferment in some of the Provincial Synods, and in that of Perth an uproar occurred which strikingly illustrates the sentiments of the parties. It is described both by Calderwood and James Melville, but the following, a condensation of both, is also a Presbyterian account of it from the Perth Registers, and is more luminously expressed. David Lord Scone, who figures in it, was the second son of Sir Andrew Murray of Arngask and Balvaird, by Janet daughter of William second Earl of Montrose. His first title was Sir David Murray, and the proximity of his mansion of Scone, about two miles from Perth, of which he was Lord Provost at the time, enabled him to take a deep interest in the public affairs transacted in that city. The forfeited and attainted Earls of Gowrie had been Commendators of Scone, and held the temporal lordship, into which that ancient religious establishment was erected, at the time of the celebrated Gowrie Conspiracy concocted by John third Earl, his brother, and Logan of Restalrig. Sir David Murray was created Lord Scone in 1605, and Viscount Stormont in 1622. His Lordship was a zealous supporter of the Episcopal Church, and a devoted determined opponent of the system, pretensions, and claims of Presbyterianism. He is consequently the subject of the bitter vituperation of its adherents.

“In the Provincial Synod which met at Perth the last day of March 1607,” observes Mr Scott, “there was no business done. Sir David Murray, Lord Scone, produced two commissions, the one from the King and the other from the Privy Council, directing him to charge the members of the Synod to restrict themselves in the choice of a Moderator to one of the four Ministers who had been appointed by the last Assembly at Linlithgow perpetual Moderators of the four several Presby-

teries of which the Synod at that time consisted. The members replied that they had never seen the Act of last Assembly relating to perpetual Moderators either of Presbyteries or Synods—that they had only heard confused and contradictory accounts of it; and they desired my Lord Scone to show them a copy of it, which, however, he either could not or did not choose to do. They alleged farther that they could not elect one of those four Ministers, even though that Act should be as he represented it, for that one of those Ministers was now dead; another of them lay at the point of death; a third had refused to accept the office of perpetual Moderator; and that the fourth, Mr Alexander Lindsay (a few months afterwards Bishop of Dunkeld), Minister of St Madoes,* had violently intruded himself into the office of perpetual Moderator in the Presbytery of Perth, for that the brethren of the Presbytery had protested against his admission.

“All the members of the Synod, except Mr Alexander Lindsay himself, voted that there should be a free election of a Moderator according to the usual manner. Lord Scone threatened that he would discharge or dissolve the Synod. The Synod commanded Mr William Row, Minister at Forgan-denny, their former Moderator, to call the roll in order to a free election. At last both Lord Scone and Mr Row requested the Synod to adjourn, and delay the affair till next day. On the morrow Mr Row, in name of the Synod, earnestly entreated my Lord Scone, and some others who were joint commissioners with him, not to hinder the Synod from having a free election of their own Moderator. He mentioned the example of some Noblemen who had been sent commissioners to other Synods, who for such reasons as had been urged had yielded that point. But Lord Scone in a peremptory manner demanded their obedience; and his passion being roused, threatened, and gave abusive names to several of the Ministers. Mr Row exhorted him to ‘speak with reverence and reason.’

“The Synod having taken the depositions of such of the members as were at the last Assembly, and having thereby got no better information concerning the Act which was now enforced upon them, urged Mr Row to proceed to the election

* A small parish near Perth, locally termed *Semmidores*!

without farther delay. The Ministers whose names had been mentioned in the leets given in by several Presbyteries being removed, Mr Row, holding the Synod list in his hand, as he had done the day before, to ask the votes of the members, the Commissioner (Lord Scone) raged, and attempted to pull the list out of his hand. But Mr Row, holding the paper in his left hand, and with his right keeping down the Commissioner in his chair, finished the list, when Mr Henry Livingstone was declared to be chosen Moderator, was called in, and commanded to take his place (*scat.*) When the Commissioner saw him coming forward to the Moderator's place, he rose from his seat to stop him, and said in a threatening manner—'Let no man be so bold as to come there.' Mr Livingstone stopped at the middle of the table. 'Let us begin,' said he, 'at God, and be humbled in the name of Jesus Christ;' and immediately kneeled down on the floor, as did all the Ministers along with him.* The Commissioner in a great rage clapped on his breast, and said—'The devil a Jesus is here.'† When

* Are we to infer from this, that the Presbyterian Ministers were then in the habit of *kneeling* at prayer, instead of *standing*—the indecent posture of their representatives, both the Established and Dissenting Presbyterians, in subsequent times?

† This very irreverent expression, which can scarcely be palliated by the provocation Lord Scone received from those men, is not mentioned by James Melville in his Diary. His version of the story is—"They gravely charged Scone, in the name of the Lord Jesus Christ, by whose power and authority they were (as they pretended) convened, not to trouble that meeting, appealing him before the tribunal of God, and remembering him what judgments of God had lighted on those who had been disturbers and troublers of the Kirk in times bypast, naming to him diverse whom he knew; but he in a fury knocking on his breast, exclaimed—'*There is no Jesus here.*' For the which, either his miserable confession, if he meant of himself, or blasphemy, if he spake of the Assembly (Synod) convened and fenced in the name of Jesus Christ by the word and prayer, they with power rebuked him every one, as God ministered grace, that he was so perplexed and dashed (ashamed) that he had not a Word to speak. At last he began to use violence, and to pull the catalogue out of the Moderator's hand, who said to him—'Cease, my Lord: we will not be prohibited from doing our office under the Lord Jesus Christ, for we are his servants and good fellows too. Think not your terrors will move us.'" Those men made as familiar use of our Saviour's name as the Non-Intrusion Presbyterians are noted for having done in their numerous mob meetings from 1834 to 1843. Lord Scone's principles could not allow him to recognize their Synod as an ecclesiastical court at all. — Melville's Diary (WODROW SOCIETY), p. 703.

he saw that the Moderator, notwithstanding, was proceeding in his prayer, he overturned the table with the green-cloth upon him (Moderator Livingstone), and the rest who were upon the south side of the church, all humbled upon their knees, but they never stirred, nor seemed at all to regard his violence. He caused some of the guard to remove the table, and called out for some of the Bailies. The Ministers continued their prayer, beseeching the Lord, says Calderwood, to be avenged of the blasphemy of his name, and of the contempt of his glory, which was now trampled under foot by profane men. All the time of the prayer, the Commissioner (Lord Scone), or the Comptroller, as Calderwood calls him, seeing he long enjoyed the Comptroller's office, never uncovered his head. Protestations and instruments were afterwards taken by both parties. When the Bailies came, he (Scone) commanded them to ring the common bell, and to remove the rebels. They pretended that it behoved them first to convene the (Town) Council. They went away, and returned not again, though he himself was at that time Provost of the town. After the Synod had gone through some of the usual forms, they adjourned for a little, and when they returned they found the doors of the church locked. Some of the Town-Council were sent to the Commissioner to crave the keys, but were refused. The Bailies offered to break open the doors. The citizens were enraged, but the Ministers forbade all kind of violence. A great concourse of people gathered around them, shedding many tears, and lamenting the rude treatment they had received. At length the Ministers resolved to hold their Synod in the church-yard, before the south door of the church. Immediately on intimating their resolution, the people weeping, and cursing the instruments of that day's disturbance, ran with all speed, and brought tables, forms, and stools, for the use of the Ministers, and then the Ministers, in the presence of all the people, having kneeled down and prayed, proceeded to agree on such measures as were proper and necessary for them to take after what had happened. Spottiswoode relates that they were afterwards called before the Privy Council, and forbid to have any provincial meeting in time coming; but it would appear that this prohibition was of short continuance,

as in the Session Register, under the date of 17th of August 1607, it is said that 'there was no meeting of Session that day, because the Ministers were at the Provincial Assembly holden at Stirling.' Indeed, Mr William Row, who had acted with so much boldness and zeal, was, Calderwood says, 'put to the horn, and search was made for his apprehension, so that he was forced to lurk among friends a great while after.'**

Such was the "scene" exhibited in the Provincial Synod held at Perth, which nearly ended in a riot. The part which Lord Scone sustained in this meeting does not place him in a very favourable light, inasmuch as he conducted himself with violence. Although his irreverent exclamation connected with our Saviour's name cannot be palliated, his Lordship was a religious man, and this is not denied by some of his traducers, while they admit that "he was very useful to King James in carrying on matters with violence against the Presbyterian party." Lord Scone's character is thus delineated by his friend Bishop Cowper of Galloway, in his admirable Commentary on the 119th Psalm, delivered in the course of week-day evening lectures in St John's church at Perth, published in 1613, and dedicated to his Lordship.† The Bishop compliments Lord Scone on the pleasure he took in building, planting, and other such matters, wherein he was an example to all around him; and he exhorts him to the practice of several duties, of daily prayer, of charity to the poor, of honouring and making welcome to his company the servants of the Lord, of guarding against covetousness, or a love of the world. He says that he had known the seed of godliness in him these many years, breeding spiritual remorse with tears, and godly holy desires; and that he had presented this book to him, to the intent that these might at length be cherished and brought forward both to the flourishing and further fructifying. "There are none," observes Bishop Cowper, who evidently cherished a

* In Mercer's Chronicle this affair is briefly noticed—"A Synodical Assembly of (Presbyterian) Ministers was holden in the New (West) Kirk of Perth. My Lord Scone came in, and discharged them. He threw over the table, and put them forth; but they yet held their Assembly at the kirk door, with joy that the people were so well affected to them. Mr Harry Livingstone was Moderator."

† This Commentary is printed in Bishop Cowper's Works.

great regard for Lord Scone, and was his intimate friend, "who know your Lordship, but have marked an affection towards religion so indivertible, that no man contrary minded durst ever attempt to alter it, which in this declining age deserves no small commendation. A heart in like manner toward execution of justice so inflexible, that ye have preferred the law (of God) to the love of men who otherwise have been most dear to you, for the which, howsoever ye have been misliked of many, yet have you proved a profitable servant to your Master in most difficult times, for by justice is the throne established." This is not the servile language of flattery, but "things" in Lord Scone's character, which, Mr Scott confesses, "deserve commendation." Bishop Cowper was Minister of Perth at the time, and was so far a Presbyterian, that Calderwood inserts a letter alleged to have been written by him to George Graham, Minister of Scone, who had accepted the Bishopric of Dumblane in 1606, in which he disapproved of the episcopal office.* If this letter is genuine, of which there are some doubts, we may observe with Mr Scott, that "it was not long till he came to alter his opinion of the mode of church-government."

Another curious discussion, in which the two Ministers of Perth are prominent, occurred in the Diocesan Synod of Fife, held at St Andrews by Archbishop Gladstones on the 9th of October 1610. It is also related by Calderwood, but Mr Scott, in his Extracts from the Perth Kirk-Session Registers, adds some particulars which entitle his account to the preference:—"The Synod met in the aisle of the church of St Andrews. On the east side of the aisle was set a table covered with a green cloth, and a green velvet cushion upon it before the Archbishop. A stool was placed beside it for the Clerk of Court. After prayer, and the choosing of the clerk, the Archbishop, still acting as Moderator, proposed that according to custom some Ministers should be nominated as members of the private committee. Then Mr John Malcolm, Minister at Perth, spoke after this manner—'Seeing we are here convened to see what shall be done to the glory of God and well (being)

* History, p. 549, 550.

of his Kirk, we should know by what authority, and upon what ground, the order of our Kirk, established by so many famous General Assemblies, and ratified by Acts of Parliament, was altered; for we cannot see that order altered but with grief of heart, seeing we acknowledge it to be the only true form of government of Christ's Kirk.' The Archbishop in a rage, and with contempt, answered—' That he would not have believed that such an aged man would have uttered such foolish talk. Could he be ignorant of the Acts of the Assembly of Glasgow? He (the Archbishop) would be Moderator according to that warrant; and he was persuaded that none there present, except Mr Malcolm himself, was of a contrary judgment.' Mr William Erskine, Minister, said—' My Lord, our reverend brother and aged father hath not spoken without reason, for suppose we be come here thinking it is his Majesty's will, yet we are not minded to do any thing, by God's grace, against our conscience. We would first see the warrant of your moderatorship, otherwise if you do any thing tyrannically, it would be better for us to be absent than present.' The Archbishop answered—' Who should inform you of the Acts of the Assembly? I will not satisfy any of your hearts that way. If ye will depart, on your own peril be it. If there were but three or four to remain, I shall do my duty and service to the King's Majesty.' Mr John Kinnier, Minister, said—' Think you that this can be a meeting to God's glory, or to do any good, when you will sit to do as you please, and will not with patience hear the brethren? You will find discontentment in more here convened, if you give us not some warrant.'

"The Archbishop became more calm, and said—' It is strange, brethren, that you are so much about an indifferent matter. What avails it who be Moderator, if nothing be done but to the contentment of you all? I shall promise before God that nothing shall be done but with the consent of the whole or greater part of the Assembly.' Mr William Cowper (who was present as a member of the Provincial Synod) said—' My Lord, it were well done to go to the matter in hand, and then to let the brethren receive contentment.' Without farther opposition the Archbishop proceeded, and the private com-

mittee was chosen. After the Synod had gone through some other business, the Archbishop intimated to all present that if any man should speak against the Acts of the Assembly of Glasgow he should be deposed, and farther punished according to his Majesty's pleasure. The Acts of the Glasgow Assembly were then read, with the hearing of which the brethren were much moved. After some had delivered their opinions, Mr William Cowper said—' My Lord, hear me; and, brethren, I beseech you in Christ, remember that these things are not such essential points as to rend the bowels of the Kirk, or to cast your ministry in hazard for them. What joy can you have in your suffering, if ye suffer for matters so indifferent as who shall be Moderator, or who shall have imposition of hands? Wherefore serveth it to fill the people's ears with contentious doctrine concerning the government of the Kirk? Were it not far better to preach Christ sincerely, (and) to wait on and see what the Lord will work in these matters?' Some more of the brethren having delivered their opinions, Mr David Mearns, Minister, said—' We can do no less than testify our miscontentment, and protest before God that we are not satisfied, and therefore will wait till the Lord grant a better time.' ' Then do so,' said the Archbishop, ' and let us conclude.' ”*

The Tulchan Episcopate was superseded on the 21st of October 1610 by the consecration of Archbishop Spottiswoode of Glasgow, Bishop Lamb of Brechin, and Bishop Hamilton of Galloway. This was done in the chapel of London House, and although Archbishop Spottiswoode mentions generally that the English Bishops who presided at the consecration of himself and his brethren were Dr George Abbot, then of London, Dr Launcelot Andrews, then of Ely, and Dr James

* Calderwood could not resist inserting the following accident, with which, if it really happened as he represents, it is evident Archbishop Gladstones had nothing to do, and it might have occurred in the house of a Presbyterian minister:—“ Upon the Sabbath-day after this Diocesan Synod, Bishop Gladstones, reposing himself in his bed in time of the afternoon's sermon (at St Andrews), was wakened, and all the people in the kirk raised with a cry of blood and murder; for his sister's son killed his cook with a throw of his dagger, just under the left pap (breast), while he was beginning to prepare the supper.”

Montague, of Bath and Wells, it appears that the last named Bishop was not present, and that his place was supplied by Dr Richard Neale, then of Rochester, and Dr Henry Parry, then of Worcester. The consecrated Bishops returned to Scotland in December, and duly invested Archbishop Gladstones of St Andrews with the episcopal function. It is stated in a manuscript evidently written about the beginning of the seventeenth century,* that Archbishop Gladstones was consecrated in St Andrews conform to the Order, and has as great jurisdiction as any of his predecessors had at any time then before. He was consecrated in the parish kirk of St Andrews, the penult of December, and with him the Bishop of Orkney, by the Archbishop of Glasgow and the Bishops of Galloway and Brechin." Calderwood states that "upon the Lord's-day, the 13th of January (1611), and upon the Lord's-day, the 24th February, the rest of the Bishops were consecrated, some at St Andrews, and some at Leith." That they had been invested with the Episcopate in the early part of 1611 is evident from a letter of Archbishop Gladstones to King James, dated the 3d of May in that year. — "All the Bishops," he informs the King, "of my province are now consecrated, for after that I had performed that work so in Leith and Edinburgh that the very precisians, who had carried prejudice about that purpose, were fully satisfied, being informed that those in the North who be within my Diocese are more unruly than any in the South, spoke calumniously both in public and private of that consecration, I thought meet there also to practise that action, and thereupon have consecrated the Bishops of Aberdeen and Caithness in the cathedral kirk of Brechin, being assisted with (by) the Bishops of Dunkeld and Brechin, in the sight of such a multitude of people as I never saw in such bounds."†

It will thus be seen that the Episcopal Church was established in Scotland in the course of a few years without any formidable contentions. Some of the more violent of the Presbyterian preachers grumbled and remonstrated, but no

* Wodrow MSS. 4to. vol. xx. No. I. cited in "Analecta Scotica," edited by James Maidment, Esq. Advocate. Second Series, Edinburgh, 1837, p. 10.

† Wodrow's MS. Collections, vol. i. p. 302.

civil war, no riots, no commotions, ensued. In reality, the mass of the people were passive, and no serious opposition was even attempted. The Church was established, moreover, by Parliaments of the whole Nobility of the kingdom, and the representatives of the counties and royal burghs. Such are the historical facts, however much they may be distorted or denied by the Presbyterian writers.

The mode of inducting the parochial clergy to the benefices during the establishment of the Episcopal Church is thus described by Erskine in his "Principles of the Law of Scotland:"—"Upon presentation by the patron, the Bishop collated or conferred the benefice upon the presentee by a writing, in which he appointed certain ministers of the Diocese to induct or institute him into the church, which induction completed his right, and was performed by their placing him in the pulpit, and delivering the Bible and the keys of the church."

The functions of the Kirk-Sessions, the lay Elders of which had been declared in the King's directions to have "neither warrant in the Word, nor example of the Primitive Church," were nevertheless continued. The Episcopal Kirk-Session of Perth seems to have been much the same as it was under the successive Superintendent, Presbyterian, and Tulchan systems, and to have proceeded much in their usual manner. This will appear from the following continuation of Mr Scott's Extracts from the Register. The establishment of Episcopacy caused no alteration in the mode of conducting Divine Service, which was in the Presbyterian form.

Contumacy and Sunday Profanation.—October 14, 1611. Compeared Andrew Mathew, skinner, who was convicted of disobedience in not compearing the first day he was warned, and therefore the Session ordained him to pay an half merk according to the ordinance of the Magistrate, and, next, was convicted of profaning the Sabbath by absenting himself from hearing of the Word and vaging in the fields in time of preaching; and therefor was rebuked, and ordained farther to be punished, according to the Act of Parliament.

An Illegal Midwife.—October 20, 1611. Because Janet Lockhart has taken upon her the office of a midwife at her own hand, without trial of her skill, and without license, and has conspired with others to conceal the sin of adultery and other wickedness, therefore the Session ordained her to be rebuked publicly by the Minister the next Sabbath, and to be inhibit from meddling with the office of a midwife in time coming.*

Midwives.—November 4, 1611. Compeared Margaret Rutherford and Elspith Gloag, midwives, who gave their oath of fidelity to be faithful and honest in their calling; and farther, it is enjoined to them, under the pain of discharging them from their office, that they should not help any woman suspected of whoredom, and who was not married to an husband, except that first they got their confession, with a solemn oath, to whom the bairn appertained, and who was the bairn's father, which they promised to do, with a solemn oath and extension of the hand, in presence of the whole (Kirk) Session.

Playing at Dice on Sunday—An Informer.—November 11, 1611. Compeared James Ferguson, who declared that he was out of the kirk on Sunday was a fifteen days in time of

* Mr Scott records the following local gossip connected with the case of Janet Lockhart:—"She had privately delivered a gentlewoman of a bastard child, and concealed it afterwards. The woman in whose house the child was born laid her hand upon the child's mouth with a purpose to smother it, but Janet Lockhart made her desist, by saying she would go instantly and awaken the whole town if she were to do such an action. The woman in whose house the gentlewoman had gone to be delivered gave the child afterward in a private manner to a nurse, and received money for the nurse privately from the father, who was a married man. Janet Lockhart made the gentlewoman declare who was the child's father before she would give her any assistance in her labour." On the 18th of January 1612 Janet Lockhart petitioned the Ministers and Elders, declaring that "she had nothing to maintain herself and poor bairns, and that she was brought to extreme poverty and necessity since she was discharged by the Session from using the service of a midwife, and therefore humbly besought the Ministers and Elders to pity her state and bairns, and to suffer her to use her wonted service." Her request was granted, with an admonition "to be godly and faithful in her calling in all time coming, assuring her that if at any time hereafter she should be convicted again of any notorious fault, she should be banished the town as one unworthy to have residence in any Christian congregation."

preaching before noon, and was in Walter Young's house, where he saw John Firskine and Hugh Firskine playing at the dice, and the said John Firskine won fourteen merks from the other, and that they drank a quart of wine at the dinner, where Walter Young, goodman (landlord) of the house, was present. Compeared Walter Young (baker), and being inquired how he, being a deacon of the kirk, suffered such enormities and profaneness to be in his house as diceing and drinking in time of preaching on the Lord's-day, answered—He knew no such thing, because he was into the kirk himself, and his wife remained at home. He was desired to present her before the (Kirk) Session. He answered, he would answer for her himself, and so menaced the beadle of the kirk. And therefore the (Kirk) Session requested the Magistrates to put him in ward, there to remain until he should be better humbled.

Sunday Profanation.—*December 9, 1611.* It was reported that James Blyth, younger, went to Methven* on Sunday was eight days to baptize his bairn, accompanied with a number of young men of his own craft (trade), and others also, who, both in going to Methven and returning home, behaved themselves in a lascivious manner, having an pipe playing, and fighting in the taft-house,† when they were rebuked by the constable there appointed by the Justices of his Majesty's peace; and therefore the said James, and those that accompanied him in his dissoluteness and riot, to be warned to compear before the Session the morn (to-morrow.) *December 31—*Compeared Thomas Taylor, flesher, who by his own confession was convicted of profaning of the Sabbath by absenting himself from the hearing of the Word, and drinking with Highlandmen in the time of preaching before noon; and, farther, the said Thomas being inquired why he troubled his neighbours after noon in the kirk, especially Thomas Alison, denied; yet it was sufficiently qualified both by the testification of James Balneaves and other honest men, that both he was drunken, and in his drunkenness had misbehaved himself in the house of God by shutting (pushing) his neighbours, and casting down their books; therefore the Ministers sharply

* A parish village, six miles from Perth, on the road to Crieff.

† A dwelling-house and ground, the same as *toft*.

rebuked him as a dissolute and profane man, and farther, the whole Session ordered him to be punished for his profaneness, and for the present requested the Magistrates to put him in ward. *January 13, 1612*—Compeared Thomas Young, tailor, William Edwards, and Robert Farg, who were all convicted of profaning of the Sabbath, by absenting themselves from hearing of the Word, and playing at cards in time of preaching; and therefore were sharply rebuked by the Ministers; and farther, the Minister and Elders requested the Magistrates to cause punish them all according to the Act of Parliament.

A Carousal.—*June 29, 1612.* The Visitors report that good order was kept the last Sabbath, except that they found Isabel Murdoch drinking with an Highlandman, in time of preaching, for the which cause she at the command of the Magistrate was committed to ward.

A Barbarous Mother.—*January 30, 1615.** It being delated to the Session that Giles Finlayson, servitrix to Robert Anderson, baxter, had of barbarous cruelty broken her own bairn's thigh bone, therefore the Session ordains her to compear before them the morn immediately after the sermon. *January 31*—This day Stephen Ray in Muirtown compeared before the Session, declaring that the foresaid Giles Finlayson had wilfully broken her own bairn's thigh bone procreate betwixt him and her; therefore she is ordained to be warned to compear before the Session the next Monday for taking order with her thereanent.†

* Mr Scott's Extracts from the fifth volume conclude under date 14th December 1612, when it was reported by the Sunday Visitors that Thomas Watson had been committed to prison for drinking *in his own house* "in time of preaching. The sixth volume commences at the 30th of January 1615, and consequently an intervening volume, containing the transactions of the Kirk-Session from 28th December 1612 to 30th January 1615, is now lost.

† On the 19th of June 1615 this woman was ordered "on Sunday next to stand at the south kirk door in white sheets, immediately before the forenoon's sermon, and after the ceasing of the hindmost bell to the sermon, shall during the time thereof sit publicly on the stool of repentance, and there confess her said trespass," under the penalty of L.20 Scots.

THE MOST REVEREND JOHN SPOTTISWOODE, D. D., ARCHBISHOP
OF ST ANDREWS, PRIMATE, AND METROPOLITAN.*

Slandering the Elders.—February 20, 1615. William Paterson (is) ordained to be warded for his reproachful and vilifying speeches against the Elders, verified by two of them in the presence of the (Kirk) Session.

Communion at Easter.—March 13, 1615. The Bishop of Galloway† (William Cowper), and the haill Elders present the said day, ordain the Communion to be celebrated at this

* Archbishop Spottiswoode was translated from Glasgow to the Primacy at the death of Archbishop Gladstones, which occurred in the Archiepiscopal Castle of St Andrews on the 2d of May 1615.

† Mr William Cowper was appointed to the Bishopric of Galloway, vacant by the death of Bishop Hamilton. In the Parliament held at Edinburgh on the 12th of October 1612, a "Ratification" was granted in favour of Mr William Cowper, with "some reservations in favour of some particular persons from the same Act"—Acta Parl. Scot. folio, vol. iv. p. 522. This corrects a date in Bishop Keith's Catalogue of the Scottish Bishops, who states that Bishop Hamilton of Galloway died in 1614. Mr Scott says—"Mr William Cowper had been made Bishop of Galloway, July 31, 1612, but he still continued to officiate as one of the Ministers of Perth, and did so till the end of October 1615." While Minister of Perth, Bishop Cowper was often employed by the Magistrates to negotiate matters affecting the interests of the "Fair City" with King James, who held him in great regard. In December 1601, the Town-Council empowered "Mr William Cowper to go to Dunfermline to his Majesty, for a continuation of days of reference between the Town and Dundee." On the 11th of April was a "production by Mr William Cowper of a collection for the Bridge of Earn;" and in 1604 he was sent to England to his Majesty, to "crave support to the Bridge of Tay." On the 10th of December 1605, Mr Cowper laid before the Town-Council a grant by the King of the teinds, parsonage, and vicarage of Perth to the Town, and he also gave a "declaration" as to his proceedings "before his Majesty in regard to the Bridge of Tay, teinds, &c.," and received thanks for his diligence. On the 18th of August 1610, certain persons were nominated "to speak to Mr Cowper anent the letter he received from his Majesty as to L.1000 for the Brig;" and in 1614 a report was presented to the Town-Council, in which it was stated that the Bishop of Galloway had assured the Town of his Majesty's promise of L.500 to the Brig, and as to certain obligations," &c. Other notices of Bishop Cowper occur in the Town-Council Records of Perth. On the 24th of July 1608, an order was issued to Mr J. Adamson to accompany Mr William Cowper to the General Convention of Ministers at Linlithgow, and on the 18th of August the account of the expenses was produced. On the 11th of June 1611 is an order respecting Mr William Cowper's "bridal," and "grant of wine," &c. In 1615 is an "Act to be made to the Bishop of Galloway as to some disbursements in a reduction of teinds."—Perth Town-Council Records.

burgh on the 9th and 16th days of April next to come; but Mr John Malcolm, Minister, dissented therefrom, alleging the celebration thereof on the said 9th day of April, which is Pasch Sunday, to be contrary to the Acts of (the General) Assembly made thereanent.

Prosecution of a Witch.—May 30, 1615. The Session requests the Bailies to ward Marion Murdoch, complained upon for witchcraft, ay and until she be tried thereanent.

A Zealous Minister.—October 16, 1615. Forasmeikle as Mr John Malcolm, Minister, declared before the (Kirk) Session that upon the last Sabbath, immediately after eight hours, he perceived Gilbert Henderson and John Lamb, skinners, convoying a stranger with a horse pack of skins to the Inch Port, and that they got passage thereat; therefore the Session ordain the said Gilbert Henderson and John Lamb, as also William Craig, porter at the said port, to be cited to compear before the morrow, immediately after the sermon, to be censured for their profaning of the said Sabbath.

Bishop Couper.—October 23, 1615. Compeared Alexander (Lindsay) Bishop of Dunkeld, and George (Graham) Bishop of Orkney, declaring that they had commission of the Archbishop (Spottiswoode) of St Andrews to intimate to the (Town) Council and (Kirk) Session of Perth, that William Bishop of Galloway, by occasion of the affairs of his office of bishopric, might not serve the cure of minister any longer at this burgh, desiring them, therefore, to give some persons in leet to make choice of to supply his place. Whereunto the (Kirk) Session answered—That they were grieved at their hearts of his transportation, and that they hoped he would return again to occupy his own place; and in expectation thereof they would not as yet give any persons in leet. Yet nevertheless the said Bishops Commissioners desire to make note that they had done their commission.

A King of the Beggars.—February 1, 1616. Patrick Crombie, conform to citation, having compeared, and being accused that he, usurping authority and command over the common beggars, they resorted to him from all parts to this parish, to the planting of many beggars of other parishes to have their abiding here within this congregation; who denied the same *simpliciter*, and is ordained to compear the next

Monday for farther trial to be taken thereanent. *February 5*—Compeared the foresaid Patrick Crombie, and being examined anent his foresaid usurpation, denied the same *simpliciter*, yet was verified by honest reporters the great resort of common beggars to the Muirton to him. The (Kirk) Session ordain request to be made to the Laird of Muirton to remove the said Patrick furth of his ground, and that he have no residence within this parish.

Sleeping in the Church.—*June 24, 1616.* John Tenenden, (Kirk-Session) officer, is ordered to have his red staff in the kirk on the Sabbath-days, therewith to waken sleepers, and to remove greeting bairns furth of the kirk.

Bishop Couper's Successor.—*October 1, 1616.* Forasmeikle as Mr John Malcolm, Minister, declared that Tuesday instant, immediately after the preaching, was appointed by the (Town) Council to convene in the council-house with the (Kirk) Session, and to intercommune anent the accepting or refusing of Mr John Guthry to be Minister at Perth in place of the Bishop of Galloway; and in respect that the Council convened not, the Minister protests as effairs. *October 3*—The Minister and Elders being convened this day, declared that they are ready to give answer for their part to the Bishop of St Andrews anent Mr John Guthry, recommended to be Minister here in place of the Bishop of Galloway; and that the (Town) Council were not convened for that effect, and protested as effairs.

A Ferocious Executioner.—*August 25, 1617.* Forasmeikle as delation being made of James Stewart, hangman, his vicious life, and of the cruelty and oppression used by him against poor weak persons: therefore it is ordained, that the same be intimated to the (Town) Council that they and the (Kirk) Session may take order thereanent.

An Obstinate Town-Council.—*September 5, 1616.* Mr John Malcolm, Minister, exponed to the Session that he has been overburdened with the hail care of the ministry at this burgh,* and that in respect of the want of his health he may

* Bishop Cowper had left Perth about ten months previous to superintend the Diocese of Galloway, and to officiate as Dean of the Chapel-Royal of Holyroodhouse at Edinburgh. Mr John Malcolm was at the above date considerably advanced in years, and felt severely the want of a colleague. It

not sustain the hail care thereof any longer, and therefore willed certain of the Elders to pass to the (Town) Council the next Monday to declare the same, and that he craves an helper; as also to shew to them that wrong is done to him to stay his assignation and letters, wherethrough he is hindered of the payment of his stipend assigned to him out of the Carse; and likewise to shew them that it is necessary that the old Acts made anent the causing of the people of this congregation (to) resort to the sermons on the week days be put to execution. And for this effect Patrick Grant, Andrew Brown, chirurgion, Thomas Leish, Andrew Brown, merchant, and Robert Cock, are appointed commissioners to pass to the (Town) Council on Monday next, and to report their answer back again; and likewise to inquire (of) the Council to whom the manse, glebe, and yards, now shall appertain, which the Bishop of Galloway possessed. *September 9*—The persons Elders forsaid, appointed to declare to the Council their commission forsaid, declared that the Council convened not this Monday, are ordained to pass to the Council and receive their answer anent the aforesaid commission. *September 12*—Mr John Malcolm, Minister, declared that the Council purposely convened not, to the end that he might be deferred of receiving answers of certain articles given to certain of the Elders to propone to them, in respect that Monday last was appointed, and no convention (meeting), next Tuesday, and no convention, yet ordains the said Elders to speak (to) the Bailies to warn the Council to convene to the former effect, otherwise protested that if they would not convene, and give answers thereto according to the verity, that he (Mr John Malcolm) might mend it as he might,* and the Elders to bear witness of his proceedings. *September 19*—Mr John Malcolm, Minister, proponed that he craved an answer of the Council proponed

appears that the Town-Council were in no great haste to secure the services of Mr John Guthry. In 1614 a letter was laid before the Town-Council from Archbishop Spottiswoode for "choosing a Minister in place of the Bishop of Galloway." Mr John Guthry was ordained as colleague to Mr John Malcolm on the 20th of February 1617, and his name first occurs in the Kirk-Session Register as present on Monday the 24th. In 1621 he was removed to Edinburgh, and in 1623 consecrated Bishop of Moray.

* Adopt such measures as he considered necessary for his own interest.

by him to them on Tuesday last either by word or writ, and desired the Elders that were appointed of before commissioners in this matter to require the answers. *September 30*—Mr John Malcolm protested that no condign answers were given to him by the Council of his reasonable articles for remeid as effeirs. *October 1*—Forasmeikle as Mr John Malcolm, Minister, declared that Tuesday instant, immediately after the preaching, was appointed by the Council to convene in the Council-House with the Session, and to intercommune anent the accepting or refusing of Mr John Guthry to be Minister at Perth in place of the Bishop of Galloway, and in respect that the Council convened not, the Minister protested as effeirs. *October 3*—The Minister and Elders being convened this day, declared that they are ready to give answer for their part to the Bishop of St Andrews anent Mr John Guthry, recommended to be Minister here in place of the Bishop of Galloway, and that the Council were not convened for that effect, and protested as effeirs.*

The Kirk-Session remodelled.—*Apud Perth, Die Lunæ, penultimo Die Mensis Decembris anno 1616.*† The persons present—John (Spottiswoode) Archbishop of St Andrews, James (Law) Archbishop of Glasgow, Alexander (Lindsay) Bishop of Dunkeld, William (Cowper) Bishop of Galloway, Adam (Bellenden) Bishop of Dunblane, William Lord Crichton of Sanquhar, and David Lord of Scone, Mr John Malcolm, Minister at Perth, the Bailies, Council, Deacons of Crafts, and Elders thereof; in the new kirk the foresaid persons were convened the foressaid day, and made the statute following:—Whilk day it is agreed, for the better ordering of all matters in the Kirk and Session, that the Provost and Bailies hereafter shall always be elected and chosen members of the Session, and that for the present year James Anderson and Constantine Melice be added to the present Session, and give their assist-

* The dispute between Mr John Malcolm and the Town-Council was not adjusted some weeks afterwards.

† This new arrangement of the Episcopal Kirk-Session of Perth seems to have originated in the quarrel between Mr John Malcolm and the Town-Council.

ance and concurrence to the Minister and rest of the Elders ; * as likewise that the Masters of the Hospital present and to come shall distribute and dispense nothing without advice of the Ministers and Magistrates, and that they make yearly compt to them and other three or four of the most discreet of the Council and Session that shall be named by the Ministers and Magistrates. And the said Provost and Bailies be joined to the rest this present year; as also that no price be set upon the farm bear of the Blackfriars and Charterhouse lands to the occupiers thereof, without the special advice of the Council be had thereto. Subscribed—JOHN DAVIDSON.†

An Offender on the Repentance Stool.—February 9, 1617. Whilk day compeared Alexander Shand upon the public stool of repentance, and there declared his repentance for resetting Robert Shand his brother and an adulterous woman in his house, where they made residence certain days; and also for his loud talking with his associates the time of the Minister's teaching, whereby the Minister was interrupted.

Immorality.—February 10, 1617. Compeared the said John Mar, and of new again being apposed (ordered) to declare the truth touching the said slander proven as said is, and humbled on his knees, and instructed to pray for that effect, yet he denied it as of before, and swore by the Eternal God

* The parties added to the Kirk-Session *ex officio* were—David Lord Scone, *Provost*, Alexander Peebles, Charles Rollock or Rollo, John Anderson, and William Williamson, *Bailies*, and James Anderson and Constantine Melice. Mr Scott says—"It was certainly much more reputable to be present as members of the Session than as humble officials."

† A preliminary conference had been held, and in the Town-Council Records is an entry, in 1616, of the "compearance of the Bishops of Dunkeld, Galloway, and Orkney, and production by them of a missive from the Archbishop of St Andrews to the Council for putting two honest men in leet for supplying the Bishop of Galloway's place." On the 26th of May that year a letter was read from the Archbishop of St Andrews, requesting the Town-Council to meet him, which was followed by a "nomination of James Adamson and others to meet the Archbishop, an "order as to action about teinds, and to write to the Bishop of Galloway;" a "nomination of commission to the Convention at Perth;" production of missive from his Majesty as to calling a General Assembly for the suppression of Popery and advancement of religion;" and on the 16th and 30th of September is an order to return a sum of money to the wife of Malcolm Hall at the request of the Bishop of Galloway.

that he never had to do with the said Catherine (Laurieston.) She, in like manner, being humbled on her knees, and taught to follow the Minister in praying to confess the truth, thereby to glorify God and to disappoint Satan, yet she abode constant at her formal denial. The Session, in respect of the said constant bruit (report) of the said slander betwixt the said John Mar and Catherine Laurieston, and probation had against them, have ordained the said John to be warded in the Tol-booth, and the said Catherine in the (Halkerston's) Tower, induring the Session's will, if thereby they may be brought to a confession of the truth touching the said slander, whereof by all appearance they are guilty, and will not confess it.*

Repair of the Steeple.—*February 20, 1617.* The Session has appointed David Sibbald to be Master of Work to the reparation of the decayed parts of the steeple, and to receive furth of an chest, containing the Hospital writts, the sum of L.20 (Scots) left over the last collection lifted for reparation of the kirk, and help to repair the said steeple with.

An enfeebled Precentor.—*March 3, 1617.* The Session thinks it very expedient that the (Town) Council and they concur for providing of an musician for taking up of the Psalms in the kirk, and for teaching of an music school. *March 24*—Forasmeikle as Mr Thomas Garvie, musician, this long time bygone has not been apt nor habill to discharge his office in the kirk at preaching and prayers, whose place Mr Henry Adamson has supplied, and is very well thought of by the Session, they request him to continue therein till farther deliberation be taken thereanent.†

* Mr Scott observes on this case—"Catherine Laurieston, a married person, had parted with a child of which she said to the persons present that John Mar was the father; afterwards she retracted what she had then said, and there was some reason to believe that he had given her L.5 (Scots) to buy a plaid in order to prevail with her to pass from her accusation. After being long in the Tower, and frequently brought before the Session, she at last accused him judicially. He continued to deny with many horrible oaths, and without his making a confession there could be no clear proof of guilt betwixt them. He was commanded to be fed while in prison with bread and water only, and at last, on the 21st of July, he compeared before the Session acknowledging his guilt, and engaged to satisfy as an adulterer.

† This Henry Adamson, who acted as precentor or leader of the psalmody in the parish church, was the author of the Metrical History of Perth. On

Sunday Begging prohibited.—*March 31, 1617.* Forasmeikle as the Session, being informed that an multitude of poor folks, of whom some are that get weekly alms, convene and stand in the Kirkgate and other kirk vennels on the Sabbath-days afore noon, begging alms of the people repairing to prayers and preaching, to the great hindrance of the collection of alms at the kirk doors; for avoiding of the like abuse in time coming, the Session ordains that the poor who get weekly alms desist from being in the Kirkgate, and there to await and beg alms on the Sabbath-days; and if they do in the contrary, to be discharged of their ordinary alms: And siclike ordain that Jamie Parliehown* remove the remanent beggars out of the Kirkgate and kirk vennels.

Stone Seat for Scolders.—*April 7, 1617.* Ordains an chair of stone to be bigged in an public part by the Masters of the Hospital, for setting of flyters and slanderers therein, and the same to be paid (out) of the first casualties (which) occur.

Enforcement of Sunday Decorum.—*April 21, 1617.* Ordains admonition to be made the next Sabbath, that none of this congregation pass to the Well of Huntingtower† on the Sabbath days, and likewise that no dancing be under stairs on the Sabbath nights.

No Absence from Preaching.—*June 2, 1617.* Forasmeikle as delation being made to the Session that sundry taverners

the 19th of May the Town-Council agreed to appoint Henry Adamson to be precentor, and on the 26th of that month the Kirk-Session allowed the annual salary of two hundred merks out of the funds of the Hospital.

* Sic in MS.

† The Well of Huntingtower, formerly Ruthven Castle, in which occurred the famous *Raid of Ruthven*, when the Earls of Gowrie and Mar, Lord Lindsay, and the Master of Glamis, seized the person of James VI., was in the adjoining parish of Tibbermore, in the eastern part, and in the immediate neighbourhood of Perth. This Well, or Hole of Ruthven, as it was called, was one of several wells of local note, which were the resort of numbers especially at the commencement of May. It is stated that the "civil and ecclesiastical records of that city testify that this well was long the source of great annoyance both to Magistrates and Ministers. Its virtues were so famous, that neither the authority of the one, nor the admonitions of the other, although most rigorously applied, could deter the citizens from frequently trying their efficacy. The name of the place still remains, but the well has long since lost not only its fame, but its existence."—*New Statistical Account of Scotland*—Perthshire, p. 1029.

allow their servants to remain at home from the sermons on the Sabbath-days to sell ale and wine the time of the sermons, howbeit the masters of the families be present at the preaching; therefore ordains intimation to be made publicly the next Sabbath of the Act anent the solemn keeping of the Sabbaths, and that the same will be put to execution against the contraveners in time coming. *Husband and Wife*—Compeared Mary Kay, and was admonished to behave herself towards her goodman as becomes.

THE PERTH GENERAL ASSEMBLY.

1618.

THE King granted his licence authorising the General Assembly on the 10th of July, and on the 3d of August the Archbishops, Bishops, Ministers, and others, were summoned to attend by proclamation at the Cross of Edinburgh. As the proceedings of this General Assembly are prominently noticed by all the Scottish historians, it is unnecessary to enter into minute details in the present narrative. On the 25th of August the Assembly was opened at Perth, Lords Binning, Scone, and Carnegie, appearing as the King's Commissioners, attended by the Earl of Lothian, Lords Ochiltree, Boyd, Crichton of Sanquhar, Sir Gideon Murray the Depute-Treasurer, Sir William Oliphant, Lord Advocate, and a number of gentlemen as assessors. The only Bishops absent were those of Argyll and The Isles, and Calderwood asserts that those Dioceses, as also those of Caithness and Orkney, sent no "commissioners," or representatives. In accordance with an intimation given in St John's Church on the previous Sunday, the first day of the meeting was observed as a fast, and two sermons were preached, the one in the morning by Bishop Forbes of Aberdeen from Ezra vii. 23; the other in the forenoon by Archbishop Spottiswoode from 1 Cor. xi. 16, which occupied two hours in the delivery, and was afterwards printed, probably by the authority of the Archbishop, by Bishop Lindsay of Brechin in his account of the proceedings

of the Assembly. Calderwood states that the argument maintained by Bishop Forbes was, that "nothing should be done nor determined in the Church by any superior power whatever but that which is according to the commandment of the Almighty King;" and that the Archbishop defended ceremonies in general, and the Five Articles in particular, though he solemnly declared that they were sent to him without his knowledge, and that they were not intended to be proposed to the Church, but to be inserted among the Canons then in preparation. This account of the Archbishop's sermon is very correct, as appears from a perusal of it as published by Bishop Lindsay, and the whole is a learned, eloquent, and masterly composition. It is founded on the text already cited—"But if any man seem to be contentious, we have no such custom, neither the churches of God;" and the Primate opens with a general discussion on religious ceremonies to be observed in the Church. "My Lords and Brethren," he began, "the business for which we meet here is known to you all, namely, to take resolution in these Articles, which we are required to admit in our Church by that power unto which we be all subject." He then elucidates the Five Articles, deducing the judgment of what he calls the "best Reformed Churches touching Articles;" and denies most explicitly that they "come by the suggestion of some of the English Church, or of ourselves at home," referring in proof to the King's declaration in the chapel of St Andrews in 1617, wherein he stated that "neither the desire he had for conforming his Churches (of England and Scotland), nor the solicitation of any person, but his zeal for God, and a certain knowledge that he could not answer it in that great day if he should neglect his duty." In a subsequent part of his discourse the Archbishop says—"I, therefore, in the presence of Almighty God and of this honourable Assembly, solemnly protest that without my knowledge, against my desire, and when I least expected, these Articles were sent unto me not to be proponed to the Church, but to be inserted among the Canons thereof, which then were ingathering; touching which point I humbly excused myself, that I could not insert among the Canons that which was not first advised by the Church, and desired they might

be referred to another consideration." The Primate adds— "So as I spake before, I would, if it had been in my power, most willingly have declined the receiving of these Articles; not that I did esteem them either unlawful or inconvenient, for I am so far persuaded of the contrary as I can be of any thing, but I foresaw the contradiction which would be made, and the business we should fall into. Therefore let no man deceive himself. These things proceed from his Majesty, and are his own motions, not any other's." He concluded by reminding the Assembly—"The kingdom of God consists not in them (the Five Articles), but in righteousness, and peace, and joy in the Holy Ghost. Away with fruitless and contentious disputings. Remember the work we are sent for is to build the Church of God, and not to destroy it; to call men to faith and repentance; to stir them up to the works of true piety and love, and not to make them think they have religion enough when they have talked against Bishops and ceremonies."

The business of the Assembly now commenced. A long table was placed in St John's Church, with seats for the Bishops, Noblemen, and other members, and at the head of it a cross table, with chairs for the King's Commissioner and the Moderator. Archbishop Spottiswoode took the chair as Moderator, and when a feeble attempt was made to urge an election by a Mr George Grier, Minister of Haddington, the Archbishop replied that the Assembly was convened within the limits of his own Diocese, and he would allow no one to occupy his place. The King's letter was then presented by Dr Young, Dean of Winchester, by birth a Scotsman. It began with a statement that he had at one time fully resolved not to allow any more General Assemblies for "ordering things concerning the policy of the Church," on account of the conduct exhibited in the former Assembly at St Andrews. It is a document of considerable length, arguing the whole matter, and abounding with expostulations. Archbishop Spottiswoode then rose, and after stating that the Five Articles now to be submitted were not his suggestion, for he considered them inexpedient at the time, yet he knew the anxiety of the King on the subject, and warned them of the consequences both to the Church generally, and to themselves individually,

if the Articles were refused. "I know," he observed, "that when some of you are banished, and others deprived, you will blame us, and call us persecutors; but we will lay all the burden upon the King, and if you call him a persecutor, all the world will stand up against you." The Archbishop then asked the Dean of Winchester if he had any inclination or authority to make known his sentiments. The Dean addressed the Assembly in a long speech, complimenting the King on his intentions, and exhorting them to conformity. After the Dean concluded his speech, some objections about the mode of voting and other minor details were repelled by the Archbishop. The Primate then nominated a large number of the Nobility and Gentry, all the Bishops, and thirty-seven Doctors and Ministers, who were to form a "Privy Conference," and who met in the afternoon to discuss the Five Articles.

On the following day the Assembly met at eight in the morning, and the Five Articles were again debated. Another meeting was held in the afternoon. On the morning of the ensuing day Bishop Cowper preached a sermon on Rom. xiv. 19, after which was the last sitting. Archbishop Spottiswoode now urged the Assembly to conform. He refuted sundry scandals and misrepresentations which had been industriously circulated by malicious persons, and declared his conviction that "there was neither man nor woman, rich nor poor, in Scotland, some few precise persons excepted, who were not only content, but also wished the order of Kneeling (at the Communion) to be received, of which he had good proof and experience in his own city of St Andrews, and in this town of Perth since he had come hither." The Archbishop then mentioned the circumstance of a pamphlet having been found in the pulpit at Edinburgh, charging the Bishops with attempting to introduce the Roman Catholic religion; but in reply he maintained that "ceremonies make not separation betwixt us and the Roman Church, but their idolatry, which if the Romanists would forsake, they would meet them midway and join with them." Before the calling of the roll the King's letter was again read. The Presbyterian party attempted to limit the right of voting purposely to exclude certain persons; but Archbishop Spottiswoode would not allow this proposal, and

declared that "if all Scotland were there present they should vote." The vote was then taken, and the Five Articles were ratified by a great majority. After some routine business the Assembly was dissolved. On the 21st of October the Articles were sanctioned by an Act of the Privy Council; and the King's proclamation to that effect was published at the Cross of Edinburgh on the 26th.

The Five Articles of Perth were, as already stated—1. Kneeling when receiving the Holy Communion; 2. The administration of the Holy Communion to the sick, dying, or infirm persons in their houses in cases of urgent necessity; 3. The administration of Baptism in private, under similar circumstances; 4. The Confirmation of the young by the Bishop of the Diocese; 5. The observance of the five great commemorations of the Christian Church—the "Birth, Passion, Resurrection, Ascension, and sending down of the Holy Ghost." The second is expressed in the same words as the first of the two Articles admitted by the General Assembly held at St Andrews in the previous year respecting the private administration of the Communion, with merely a few verbal alterations, and the number of persons to be present and communicate was limited to three or four instead of six. The Five Articles were ordered to be read and enforced in all the parish churches throughout the kingdom, and proclamations were published enjoining obedience and conformity at the market-crosses of all the principal towns. Yet such was the opposition of some of the Presbyterian party to these primitive and catholic commemorations of the great events connected with human redemption, that the order was in many cases disregarded, which caused considerable distractions, especially in Edinburgh.

Mr Scott states as his opinion that "the Presbyterian party would have willingly accepted some of the Articles on condition of being relieved of the rest;"* but he does not specify those of them which they would have sanctioned. The only one of them which the less rigid of the Presbyterian ministers in Scotland since the Revolution in 1688 adopt is the adminis-

* Kirk-Session Registers of Perth, MS. vol. i.

tration of Baptism in private houses, whether the infants are in ill health or not; and this was probably forced upon them by necessity. As to the others, it is well known that many Presbyterians in Scotland are convinced that there is something harsh and deficient in their system, which denies the administration of the Communion, even in their own way, to the sick, the dying, and the aged, in private houses.* The majority may probably still object to kneeling at the administration of the Communion, inasmuch as they will not allow kneeling at public prayers. Many of them also have no objections to the rite of Confirmation in itself, and not a few now think that the five great commemorations of the Church ought to be observed. In short, a very different feeling pervades Scotland on many of those matters, which even those who adhere to the Covenanting fanaticism cannot deny. Intercourse with England, a better system of education, and other causes, might be assigned for the softening of the old religious and bigoted prejudices.

It was not to be expected that the Five Articles would be admitted everywhere without opposition, yet on the whole they were received in many places if not with approbation at least with tacit consent. Much in those cases depended on the degree of personal respect in which the Minister of each particular parish was held by the people. Mr Scott informs us of the manner of their reception at Perth, which corroborates the statement of Archbishop Spottiswoode in the General Assembly. A meeting of the Kirk-Session was held on the 5th of March 1619, present Mr John Guthrie and Mr John Malcolm, Ministers:—" Proposition being made, if they (the Kirk-Session) will agree and consent that the Lord's Supper be celebrated in the burgh conform to the prescription of the Act of the General Assembly made thereanent last holden at

* Mr Scott in his MS. observations on the Kirk-Session Records of Perth, commenting on the Five Articles of Perth, says—" With regard to private Communion, I have heard of a late instance of its being given by a Minister of our (Presbyterian) Church in the south part of Scotland. The Presbytery to which he belongs have not inflicted any censure upon him, nor does it seem to be the resolution of the Church judicatories in general to take any notice of it."

Perth or not, viz. that the Ministers give the wine and bread with their own hands to the communicants, and that they (the communicants) be humbled on their knees, and reverently receive it; and, being voted, *all agreed in one that the celebration thereof be made according to the said Act.*" "The order of the (administration) of the Communion," observes Mr Scott on this extract from the Kirk-Session Register, "seems to have been as follows:—The tables were placed in the choir or east part of the church. The communicants were to enter in the morning by the south door, where, to add to the solemnity, and to do honour to the occasion, several of the Magistrates and others were to stand in due form with their Elders. The communicants were there to give their tokens (or tickets of admission) along with their alms, and then to pass either directly to the tables, or to seats in the choir allotted for them. Such as were not to communicate, at least on the first day of the Communion, were to enter the church by the north door, and were there to give their alms. After the consecration of the elements the Minister, followed by the bearers of the bread and wine, was to go through the tables, giving, as he went along, the elements with his own hands to each of the communicants kneeling; after which they who had communicated would depart from the table, and be succeeded by such as were next to communicate." Mr Scott refers to the conduct of many persons in Edinburgh about kneeling at the tables. "Even some of the Ministers," he observes, "did not at first conform, but administered the Sacrament to the people sitting. There was, however, no such opposition, at least from the Kirk-Session at Perth." *

Calderwood says of Bishop Cowper, in reference to the sermon he preached during the sitting of the General Assembly at Perth, that "he set at nought the ancient (Presbyterian) order of the Kirk sometime highly commended by himself, and extolling his own new light, presumed to catechize those who might have catechized him." This is expressed by Calderwood in his usual strain of party malevolence. "As

* Observations on the Kirk-Session Records of Perth, vol. i. MS. in Advocates' Library, Edinburgh.

the Five Articles," says Mr Scott, "were the subjects of much controversy, and as the arguments against them are frequently to be met with in the histories of that period, it will be doing justice to the ancient Kirk-Session and people of Perth to take notice of what was then said on behalf of those Articles, and which determined many good men to submit to the observation of them."

Bishop Cowper's sentiments are here presented to the reader, as they are not generally known even in Scotland. They are worthy of perusal as illustrating the feelings of the time on the subjects he discusses. His observations are entitled—
 "The Bishop of Galloway's Answers to such as desire a resolution of their scruples against the Acts of the last Assembly holden at Perth in the month of August 1618—Mercy, grace, and peace, be unto all them that love the Lord Jesus."

"We are commanded by St Peter to give a reason of the faith which is in us, and so will I. No good Christian differs one from another in any article of faith, for our Belief (the Creed) is a short compend of the Scripture; and I have preached all the Articles thereof; I believe all. As for Papists, where they differ from us, see what I have professed in my writings published in print, and I am resolved to die in the same mind. What that is they may perceive by the 'Seven Days' Conference betwixt a Catholic Christian and a Catholic Roman, and by the Threefold Treatise upon the eighth chapter to the Romans." Bishop Cowper refers to others of his printed works for his opinions, and proceeds—"As for these needless controversies that make divers voices among us, I say some are conscientious with little knowledge; these I love. Others are contentious with less knowledge; these I pity, willing them always to remember that to them who are contentious and obey not the truth, unrighteousness shall bring indignation and wrath, Rom. ii. 8; yet I wish to them mercy, and light to illuminate their minds.

"Of Days.—In my mind no King on earth, no Church, may make an holy day; only the Lord who made the day hath that prerogative, and He hath sanctified the seventh day. Yet either a Christian king, or a Church, may separate a day by preaching, and that either ordinary, as we have Tuesday,

or extraordinary, for fasting and humiliation; or for solemn joy and thanksgiving. This is and hath been ever the lawful practice of our Church, and continual, who at such times hath commanded cessation from ordinary trades both before and after noon, that so the people might frequent the assembly. I hope (there is) no other purpose by our prince's proclamation, whereat so many are offended; and if any cause of offence be, it is to be amended with humble supplication, not with rebellious contradiction.

"Brightman on the 11th of the Revelation* records that the day whereon Queen Elizabeth came to the crown after the Marian persecutions was observed with an anniversary or yearly sermon, even by those who in that country are enemies to Episcopal government, of which number himself is one. So we have preaching and public rejoicing (on) the fifth days of August and November† for that double deliverance of our gracious Sovereign, whom may the Lord long continue a comfort to his Church. And I am sure we have greater cause to rejoice at the remembrance of Christ's Nativity, albeit Herod and Herodian in upper Jerusalem were against it, when angels, heavenly soldiers, and saints redeemed, were singing in Bethlehem, Glory be to God in heaven, and peace to men on earth! I will rather sing with the one than startle without cause with the other.

"O! but this is not the day of His nativity. I answer, Let it be so. It is not the *day* but the *benefit* we remember, which no good Christian will deny should be done. Sure it is He was born, died upon Good Friday, and the third day He rose; the fortieth day thereafter He ascended; ten days after His ascension He sent the Holy Ghost, which from His resurrection is the fiftieth day, called, Acts ii. 2. the Pentecost. All this is according to the articles of our faith expressly set down in Scripture, and why, then, do men make such scruple

* Thomas Brightman, an English Puritan, born at Nottingham in 1557, and died in 1607, was the author of several works published after his death. The one to which Bishop Cowper refers is his "Analysis et Scholia in Apocalypsin."

† The latter is the well known Gunpowder Plot Day. The former commemorated the Gowrie Conspiracy, which was ordered to be kept, and was observed during the reign of James.

to remember our Lord's Nativity on such a day as Christian Catholics in all ages have remembered ?

" But here they say, We remember His nativity every day. I answer, This is like that presumption of the young man who spake to Christ in the Gospel— 'All these,' saith he, ' I have done from my youth.' He spake out of ignorance, affirming he had done the thing he did not. And so do they. I appeal to their own consciences how many days of the year will pass wherein they do not so much as *think* of His nativity ? But if it were as they say that they remember His nativity every day, why make they it strange to remember it on this day also ?

" Yet, say they, Ye remember it this day more than another ! I answer, And why not ? Every good Christian hath his own days chosen by himself, some for fasting, some for thanksgiving for particular benefits. What a private Christian may lawfully do, ye make it unlawful for a Christian Church do do, especially where we go in the communion of saints with all the Reformed Churches in Europe. In France, in the Protestant Church, their most notable preachers give the communion on that day, as did also the Primitive Churches throughout the world, as testifieth St Augustine in his Epistles 118th and 119th. So did our own Scottish Church also for eight hundred years, before it was polluted with Papistry, as I have proved in my fore-named Conference, whoso likes to read it.

" But, say they, We have no commandment in the Word to do it. I answer, Let them distinguish betwixt that which is substantial and real in religion, and that which is circumstantial and ritual. A point substantial must have an express warrant in the Word commanding it ; for that which is circumstantial, it is sufficient if it be not against the Word, it being left to be ordained by ecclesiastical authority. As, for example, to preach in season and out of season is a substantial point ; for it we have an express command in the Word. What day of the week ordinary preaching should be beside the Sabbath, that is circumstantial, and left to the decision of the Church, who by the same authority that they may ordain preaching (on) such a day of the week, may also ordain preaching such of the month in a year. Again, he that sins

openly shall be openly rebuked. This is substantial in religion, and we have an express command for it. But to set him on a pillar three days, or more, or fewer, is circumstantial, such as our Church without doing wrong to the Word of God hath determined. I acknowledge it to be a good order, and will any of these men condemn it because it is not an express command in the Word? Marriage is honourable among all men, (and) for man and woman to join without marriage is fornication. This is substantial, and hath the warrant of the Word. But that first they must be three days publicly proclaimed, is circumstantial, done by the Church for good order, which I acknowledge sufficient, because it is not against the Word.

“Yule Day, say they, was cast out of our Church. I answer, What they call Yule Day I know not; but a day reputed for the day of Christ’s nativity, and observed for the remembrance thereof, that I know. I find no ecclesiastical law standing in all our books of Assembly to the contrary. But if it have been cast out, yet a thing not against the Word of God upon good considerations may be brought in again, albeit it had been left out. Instances of this I might bring from the Church of Geneva; one I bring from our own. Since baptism not upon a preaching day was cast out by act and practice, and yet is now received again, why may not preaching of Christ’s Nativity, Passion, Resurrection, Ascension, and sending of the Holy Ghost, or such days, be received again, albeit it had been cast out?

“We were well, they say before; and what needs this innovation? I answer, Conformity with the ancient and recent Reformed Churches require it, except we will be singular. Besides this, the question here is betwixt a prince and his people. They will be nourished in the humours, not remembering that a Christian prince is also to be regarded, who finds himself bound in conscience to see duties in religion performed. What is evil in their eyes seemeth good in his. And here the debate falling betwixt their will and his about a matter not against the Word of God, let any unprejudiced man give a sentence who should be followed.

“Of a Baptism to be administered in due time and place.—

Now for Baptism, our commission is to baptize without limitation either of time or place, decency alway both for time and place being observed. So far as may be, where the public order of the Church is not contemned, Baptism should not be refused. It is not, they will say, necessary to salvation. I grant that I abhor the blind and merciless sentence of Papists, that infants dying without baptism go to any house of hell. But although it were not necessary to the child's salvation, who will deny that it is necessary, at least a probable help of the parent's faith? For our Lord hath not ordained it in vain. Where, then, a Christian parent desires it to his child, either upon a preaching day or other day, with what warrant a preacher can deny it I know not.

"Of Private Communion.—The same is my judgment of Private Communion. Here are two words (which) would be well understood. *Private* I call it, in respect of the public assembly, not of a private person; *Communion* it is, in respect of many Christians partaking in it. Where a man hath been a reverend hearer of the Word, in the public assembly, and a reverent and careful receiver of the sacrament there, if God suspend him by sickness from doing that duty, may we not sit beside him and comfort him by the Word? May we not pray for him and for ourselves even in a private family? And why also may we not give to him, and take to ourselves, the seals of the covenant of mercy? The particular precepts hereof, both for the person and place, I take not upon me to determine, but leave it to the wisdom of the preacher.

"Of Kneeling at the Communion.—The hardest point of all is kneeling at the Holy Communion, which is the more misliked because it was and yet is abused by Papists to idolatry. That vile error of transubstantiation and worshipping of the bread my soul abhorreth it, but it is hard to condemn a thing lawful in itself because it hath been abused. For what is so good as hath not or may not be abused. Shall not St Paul bow his knees to the Father of the whole family in heaven and earth, God the Creator, because idolators bow their knees to the creature? He was not so scrupulous.

"If I should condemn sitting at the table, I should do wrong to my mother Church—the Church of Scotland. If I

should condemn standing, I should do wrong to that sister Church of France which hath stood for the truth to the blood. If I should condemn kneeling, I should do wrong to the Church of England, glorious with many crowns of martyrdom, and many other Churches also. I like well that modest judgment of Peter Martyr, who thinks any of these, sitting, standing, or kneeling, lawful. Our Church has determined that kneeling seems the most reverent form for receiving so great a benefit; and the rude gesture of many of our people in many parts of the land requires that they should be led to a greater reverence of that holy mystery, and taught that by humble kneeling we shall at length be brought to a joyful sitting with Him for ever.

“ But here it will be objected to me that our Lord and his disciples sat at the table. I answer, that the Evangelist saith, that as He sat at the table He took bread, and gave thanks. This seemeth to note the time of the institution (to-wit, after He had done with the natural and paschal supper), not the gesture. For why? St Paul, describing all that is essential in the Sacrament, makes no mention either of sitting, standing, or kneeling: yet he says—‘What I have received of the Lord, that I delivered unto you.’ If he received it, and delivered it not, he was not faithful, which I abhor to think. If he delivered it not, then surely he received it not.

“ This (kneeling) is the soundest and most safe course. It keepeth all the Reformed Churches free from doing against the Word of God, for we must think that St Paul knew certainly the mind of Christ. Such as are conscientious, let them ponder this well. The contentious I am not able to satisfy. If the expediency be set aside, and the question be only of the lawfulness, my argument stands yet unanswered. Whatsoever spiritual benefit I may lawfully seek on my knees with supplication, that same I may lawfully receive on my knees with thanksgiving. But I may lawfully with supplication seek salvation by Jesus on my knees; therefore I may lawfully receive it (the Communion) on my knees. They answer nothing who say, I may not kneel to any idol, for to Christ I kneel, praising Him when I receive the holy symbols, exhibiting the instruments of his body and blood; and it is madness either

to make them idols, as the Papists do, or to call them idols, as the malcontents do.

“ I have opened my mind according to my light. To them that ask, Where was the light before? my answer is, Remember what is said of our blessed Lord, the latchet of whose shoes I am not worthy to loose—‘ He increased in wisdom,’ Luke ii. 52. Shall it then be an imputation to his silly, weak, unworthy, and infirm servants, that they increase in wisdom and grow in knowledge as they are commanded? Such as are contentious I leave tumbling in the tumultuous thoughts of their perturbed minds, raging like the waves of the sea, foaming, and casting out their own dirt and shame. For me, I rest in the peace of my God through Jesus Christ, which, blessed be God, I enjoy. A sore famine of the Word of God is at hand, for the loathing of manna, and murmuring against Moses and Aaron. There may be bread, but God will break the staff of it. Preaching of the Word in many parts, but without life or power. Prattlers and lying libellers, Papists, or Atheists, I commend them to the mercy of God, that they may be brought to repentance. Let them read these words of our Saviour—Matt. vii. 6—‘ Give not that which is holy unto dogs, neither cast ye your pearls before swine.’ Be not of that number, if ye mind to enter into the heavenly Jerusalem. I will have nothing spoken here extended to peaceable and truly religious Christians, of which number God hath a flourishing church both in this town (Edinburgh) and in other parts of the land. The Lord increase them! The Lord grant peace to his own Jerusalem, and have mercy upon us, that we may prevent these and other imminent judgments upon great and small by unfeigned repentance!”

Mr Scott observes on the preceding passages that Bishop Cowper “ has said what may shew us that he and others were not rashly to be condemned who submitted to the Five Acts of the Perth Assembly.—With regard to the confirmation of children, Bishop Cowper in his defence takes no notice of it; and indeed it was unnecessary to say any thing in its defence, considering the inoffensive manner in which it had been expressed in the Act of Assembly.”* The preceding extracts,

* Observations on Extracts from the Kirk-Session Records of Perth, M.S. Advocates' Library, Edinburgh.

though not unobjectionable in a few passages, are chiefly interesting as being part of the discourse which he preached in the Chapel-Royal of Holyroodhouse on the first Christmas Day after the meeting of the Perth General Assembly. Calderwood says—"Mr William Cowper preached upon Christmas Day in the Abbey kirk. Many resorted to him out of curiosity, because he promised to give them resolution that day for observing of holidays. He was so impertinent and frivolous in his arguments that he was mocked." The reader will now perceive the audacity of this Presbyterian writer's assertion that the excellent Bishop of Galloway's "arguments" were "impertinent and frivolous."

The General Assembly at Perth was attended by the afterwards noted Alexander Henderson as a "commissioner" for the Presbytery of St Andrews. He had been previously attached to the Episcopal Church, but he had now allied himself to the Presbyterian party. The Presbyterians allege that he was converted to their cause by hearing a sermon from Mr Robert Bruce of Kinnaird, a man of great abilities, who had long been a violent opponent of King James, and repeatedly dictated to his Sovereign in such an arbitrary and offensive manner that it was at length found necessary, in 1621, to commit him to Edinburgh Castle for a few months; and he was afterwards banished to Inverness, where he continued till the death of the King in 1625.* It was on a sacramental "occasion," in a parish "somewhat distant from Leuchars," when Henderson heard Bruce preach the sermon which is said to have converted him to Presbyterianism; but it is well known that his introduction to Leuchars parish was most unpopular. It is admitted that he was irritated by the neglect of Archbishop Spottiswoode, who after he became Primate had not thought himself bound to pay the future champion of the Solemn League and Covenant any particular attention. "Gladstones' death, in June 1615," says Henderson's biographer, "removed from his mind any personal feeling of

* This banishment to a particular and distinct town, far from friends and acquaintances, was no slight punishment in those days of bad roads, no conveyances, and no post-offices, while corresponding by letter was difficult and even dangerous.

restraint which gratitude to his patron might have engendered; and the studied indifference with which Spottiswoode treated the son and proteges of his predecessor could not fail to wound their pride, and disappoint their prospects."* This is a most important admission, and considerably militates against the conscientious motives of Henderson. Yet he was not altogether neglected, for one of the very last acts of the Perth Assembly was to sanction the removal of "Mr William Scott and Mr Alexander Henderson" to Edinburgh; and though Calderwood alleges that "the Bishops meant no such thing in earnest," merely because the appointment did not then happen, Dr Aiton confesses that "there is not even the slightest hint as to what actually was the cause why Scott and Henderson were not translated at this time, but it is probable that the choice merely was made, and that Spottiswoode refused to concur." In the Records of the Synod of Fife, 6th April 1619, the following notice occurs—"Mr Alexander Henderson has not given the Communion according to the prescribed order, not of contempt, as he deponed solemnly, but because he is not fully persuaded of the lawfulness thereof. He is exhorted to obedience and conformity." Henderson and two of his friends published a pamphlet by subscription, entitled the "Perth Assembly," in which they attempted to show that the Five Articles were inconsistent with Scripture, and that the Assembly was illegally constituted and conducted. After this, till about 1630, he appears to have resided quietly in his parish of Leuchars. In 1620 Archbishop Spottiswoode published in London the only work he is known to have printed in his lifetime—a small historical treatise in Latin entitled—"Refutatio Libelli de Regimine Ecclesiæ Scoticanæ," dedicated to the Prince of Wales, afterwards Charles I., and signed JO. FANI ANDRÆ ARCHIEPISCOPUS. It is an answer to a tract of Calderwood, who replied in 1621 in a scurrilous production which he designated—"Vindiciæ ejusdem Epistolæ contra Calumnias Johannis Spotsvodi Fani Andræ Psuedo-Archiepiscopi," and was afterwards subjoined to his "Altare Damascenum." Bishop Lindsay of Brechin published in

* Life and Times of Alexander Henderson, by John Aiton, D.D., Minister of Dolphington, p. 92.

1621 his "True Narration of the Proceedings in the General Assembly of the Church of Scotland holden at Perth 25th August 1618, with a Just Defence of the Articles therein concluded against a Seditious Pamphlet"—referring to Calderwood's tract. It was printed in London by "William Stansby, for Ralph Rounthwait, dwelling at the signe of the Golden Lion in Paul's Church-yard," and is dedicated to the "Reverend and Godly Brethren the Pastors and Ministers of the Church of Scotland." The Bishop of Brechin's "Narration" caused the reply written in Latin by Calderwood, under the name of Edwardus Didoclavius, entitled "Altare Damascenum," of which a translation was published, with the title—"The Altar of Damascus, or the Pattern of the English Hierarchy and Church Policy obtruded upon the Church of Scotland," which also appeared in 1621, and was considered by his party to be unanswerable. The original Latin edition was published in Holland. King James, according to Presbyterian authority, was much annoyed by the publication of Calderwood's work. He was found very melancholy one day by an English Bishop, and when asked the cause, he replied that he had just read the "Altar of Damascus." The Bishop desired the King not to vex himself about the book, for it would be answered. "Answer that, man!" James is made to say: "How can ye? There is nothing in it but Scripture, reason, and the Fathers." Such is the anecdote, and whether true or false, certain it is that every argument in Calderwood's production has been a thousand times answered and refuted.

This General Assembly at Perth in 1618 was the last held in Scotland till the memorable one at Glasgow in 1638.

CONTINUATION OF THE EPISCOPAL KIRK-SESSION REGISTER.

Indecent Conduct on the Street.—May 10, 1619. James Wright, grave-maker, being accused for his indecent behaviour on the causeway with women in struggling with them, perceived by Mr John Malcolm, Minister, dilator thereof, excused himself that he did (it) as beside himself through drink, declared his repentance therefor, and acts himself not to do the like hereafter under the pain of punishment.

Strangers in the Kirk-Session.—October 18, 1619. Forasmeikle as certain persons heretofore have taken such boldness as to come in to the (Kirk) Session (meeting) without leave asked and given, and at their coming have given occasion of offence to the Session: therefore it is statute and ordained, that none be admitted to have place in the Session until they first make them advertisement by the Kirk officers.

Rioting.—February 6, 1620. Forasmeikle as dilation being made that Alexander Wilson and Patrick Souter, in Muirton,* used great insolency, the last in the night-time, in troubling and molesting of honest men's bairns and servants, and in ringing of the common bell about eleven hours at even; and the officer having passed to warn them to compear before the (Kirk) Session this day to sustain censure for their insolence, could not apprehend them; therefore ordains a letter of request to be directed to Patrick Eviot, of Muirton, their master, to present them the morrow.

Abduction.—February 14, 1620. The (Kirk) Session think it expedient to advise with the Presbytery on Wednesday next what order shall be taken anent the ravishing of Elizabeth (or Elspit) Henderson concerning the Kirk's part. February 16—An heavy request was made to the Moderator and brethren of the Presbytery, in that William Stewart, lawful son to William Stewart of Kinnaird, within the Presbytery of Dunkeld, has, upon the 10th of February instant, under silence and cloud of night, violently ravished and taken away Elizabeth Henryson, daughter to umquhile Andrew Henryson of Lawton, from her mother's house in the South Gate (Street) of the burgh of Perth, being assisted by divers of his accomplices all in armour; the said reverend Father (Alexander Lindsay, Bishop of Dunkeld, Moderator) and brethren, considering the great slander that has arisen upon this barbarous fact foresaid, and how evil a preparative it may be, unless censure proceed against the offenders; finally, having regard to the Act of General Assembly holden at Edinburgh in the month of March 1570, ordaining such persons to be dealt against by the censurers of the Kirk to

* The farm lying immediately north of the North Inch between the road to Dunkeld and the Tay.

excommunication ; ordained summons *literatorie* to be directed against the offender foresaid, charging him to compear before them the next day of meeting to answer for his said offence, and to hear and see himself decerned to satisfy for removing thereof, with certification, in case he compear not, that they will hold him *pro confesso*, and proceed. The kirk-officer of the parish of Dunkeld, in which parish the said William Stewart lived, personally apprehended him, and gave him the first summons ; an authentic copy of the second summons was given by the officer to William Stewart, elder (senior), the said William's father ; and last of all, the officer having passed to the town (farm) of Middle Kinnaird, where William Stewart had his residence, and having found none to whom he might deliver the summons, affixed an authentic copy on the most patent door of the house, after that he had knocked nine several knocks. The reverend Father and brethren, finding that he continued in his disobedience, ordained the censures of the Church to proceed against him. They appointed the admonitions previous to excommunication to be given (to) him in the kirk of Dunkeld *ratione rei*, and in the kirk of Perth *ratione delicti*, and that solemn prayers should be joined with the admonitions, that God might bring him to the knowledge of his sin and repentance. No obedience followed after the first admonition ; after the second, compeared before the reverend Father and brethren Hugh Campbell of Seatt, who delivered a letter addressed to them from William Stewart, wherein he represented that seeing he lay under danger of his Majesty's laws, and of the party whom he had offended, whereby he could not safely repair for giving satisfaction to the Church, therefore he craved that no farther process should be against him. The reverend Father and brethren having considered that if it be of verity which the said Hugh Campbell had reported, that William Stewart had obtained the goodwill and assent of Elizabeth Henderson, then the said William had not now such a mighty excuse as he pretended, seeing the fault was not capital, but penal, subjecting him only to an arbitrary punishment ; also, that though it were capital, he without any peril might send back Elizabeth Henryson, and thereby give some declaration of remorse for his offence, which if he did

not, they perceive nothing in him but a purpose to elude the discipline of the Church, in the same manner as he had already, and did still condemn the laws of his country. Therefore they declared to the said Hugh Campbell, that unless the said William should reponc the said Elizabeth in her mother's house, and thereby shew some beginning of obedience, they still would proceed against him as disobedient to the voice of the Church, which they desired the said Hugh would intimate to him; finally, they ordained that the third admonition should be given (to) him. After the third public admonition, the reverend Father and brethren having found that after so many admonitions no obedience was yielded by the said William, but that he still continued in his offence, cohabiting with the ravished woman, and detesting the voice of the Church, to the dishonour of God and evil example of others, declared the said William worthy to be proceeded against with the sentence of excommunication. For that effect they ordained the process to be extracted and sent to my Lord Archbishop of St Andrews, that his approbation might be had thereunto. In the mean time, *propter maiorem abundantiam*, they ordained the Ministers of Perth to continue the next Sabbath in prayers to God that the said William might be brought to the acknowledgment of his offence, and that if it were possible the heavy sentence might be prevented. On the 12th of April 1620, Mr John Guthry reported that he had corrected and sent the process deduced against William Stewart to my Lord Archbishop of St Andrews, who had received the same, and sent his approbation in the end thereof in the manner following:—"This process being formally deduced in all the parts thereof, I agree that the sentence be pronounced of excommunication against the party, in respect of his contumacy. *Dairsie*, 10th April 1620, *sic subscribitur*, ST ANDREWS." The same day Mr John Malcolm reported that on Sunday last he gave a public admonition to William Stewart, and made prayers for him, *propter maiorem abundantiam*, this being the fourth time. The Moderator *pro tempore*, Mr John Guthry and the brethren ordained Mr John Malcolm to pronounce the sentence of excommunication against the said William Stewart on Sunday next before noon, in the parish

kirk of Perth for his contumacy. Accordingly, on the 3d of May 1620, Mr John Malcolm reported that upon Sunday the 16th day of April he had pronounced the sentence of excommunication against William Stewart, which sentence being approven of by all the brethren, was ordained to be intimated on Sunday next from all the pulpits in the Presbytery of Perth.*

Female Lunatic.—May 25, 1620. Mr John Malcolm present only, declared that he is greatly troubled and disquieted in his mind and conscience for fear that Satan prevail so far with Margaret Alexander, now deprived of (her) right wits, that she perish in the water (the river Tay), as she has attempted several times to have done; and she being one of their congregation, and sometime had in good account, that it would be a great sin and shame to this town if they took not convenient order with her to disappoint Satan's working in her so far as they might: whereupon it was concluded by the (Kirk) Session and so many of the (Town) Council as were present, that she should be put in the (Halkerston's) Tower, and there kept close, and nourished on bread and small drink only ane certain space, till God of his mercy restore her to (her) right wits; and ordains Patrick Pitcairn to furnish the same upon the (Kirk) Session's expenses, which he promised to do.

Indecent Conduct on the Sunday Evening.—June 12, 1620. Whilk day Thomas Crombie, Bailie, presented Alexander Wilson, in Muirton, who is accused for his great insolency and misbehaviour, in that he upon a Sabbath-day at night betwixt ten and eleven hours pressed to misuse Giles Lowry in her returning from convoying Thomas Leisk's wife home to her house, terrifying Robert Robertson's daughter, struggling with Matthew Cheap's servant in the kirk-yard, and that, having entered the kirk, he rang the common bells, thereby setting the haill town under fear either of fire or sword. His offence

* Mr Scott observes in his MS. notes—"William Stewart was not relaxed till September 10, 1621, after he had finished before the congregation of Perth his declarations of unfeigned repentance." On the 15th and 22d of February 1620, several persons were summoned before the Kirk-Session for "aiding and abetting" this abduction.

being so great, he is committed until the morrow, that after the sermon both the (Town) Council and (Kirk) Session deliberate upon his punishment. *June 13*—Whilk day the said Alexander Wilson was brought furth of ward, and was presented before (the Town) Council and (Kirk) Session, and there they ordained him to be detained in ward until Saturday next, when he shall be set upon the cockstool in the jugs, and his faults written in great letters and set upon his breast, and there to stand by the space of three hours.

Gossiping.—*July 17, 1620.* The (Kirk) Session being informed that some honest men's wives haunt to the house of Margaret Sadler at certain times to waste and spend at wine, she is admonished not to receive such women in her house to that (purpose) in time coming, and acts herself not to contravene under such pains as the (Kirk) Session will inflict upon her.

Witchcraft and Housebreaking.—*December 18, 1620.* The (Town) Council and (Kirk) Session to convene the morrow after the preaching, to take order with James Stewart in ward, suspected of witchcraft and charming. Also to resolve what course to follow against James Robertson and his colleagues for the invasion made against William Powery and his house at midnight the last Saturday.

Insulting in the Church.—*January 1, 1621.* Forasmeikle as George Dickson, merchant, having complained verbally to the (Kirk) Session that he was abused by Francis Scott, Thomson, alias called Billieald, and certain others their sociates, young professed knaves, by casting of their bonnets at him in the kirk this instant day; therefore the (Kirk) Session ordains that they should be apprehended and punished for their offence. *January 2*—Whilk day the aforementioned Thomson being apprehended and presented before the (Kirk) Session for his insolvency aforesaid, (is to be) taken to the Grammar School, and there scourged with St Bartholomew's Taws (1) for his offence, and promises not to commit the like hereafter.

Night - Walking and Drunkenness.—*January 9, 1621.* Compeared John Lamb, who being accused for his night-walking and drunkenness afore written, answered—He did

it (only) upon (that) occasion, and that he never did the like of (it) before. It was replied that he has been noted divers times before (as) very loose in his conversation; he is admonished to amend, and to take heed to his ways in time coming, which he promised to do.

Inundation of the Tay at Perth.—October 16, 1621. The (Town) Council and (Kirk) Session being convened, have ordained a voluntary contribution to be uplifted of the hail inhabitants, for declaration of their great thankfulness to God for their deliverance from the fearful inundation of waters, threatening destruction both of the town and inhabitants, to be applied to the support of the poor; whereof the manner followeth:—*In remembrance of God's Visitation of Perth.* It is to be noted and put in register in this Book, the great and miraculous deliverance that the Lord gave to this burgh of Perth, of a fearful inundation of waters, compassing the same in all parts, so that thereby the brig of Tay was haily dung (thrown) down, except only one bow (arch) thereof standing. None could get furth of it, nor yet come within it, to make any relief thereto. The manner of the rising of the water was this. The rain began on Friday the 12th of October, about ten hours of the day. It continued that day and Saturday, and in the night, unlooked for, the water rose so high that all those that dwelt outwith the Castle Gavel Port in laigh houses, the water increased so that they behoved to go to high houses for preservation of their lives; and being in high houses, the water rose to the loftings in the highest mid house in the Castle Gavel before six hours on Sunday in the morning. And the wind and wet continuing, the water came to Gilbert Henderson's yett (gate) in the Castle Gavel, and to Margaret Monipennie's yett in the Fish Mercat, and to Donald Johnstone's yett in the High Gate, to the Meal Vennel in the South Gate, and the water ran like mill clousses at the yetts of divers parts on the north side of the High Gate. A great tempestuous wind at the east blew all this time. The water also came above Henry Sharp's shop in the Speygate. The like fearful inundation of waters was never seen at Perth in no living man's remembrance, which put the people in such fear that they looked for nothing but to have been de-

stroyed. Whereupon Mr John Malcolm, Minister, powerfully endued with God's Spirit, caused ring the preaching bell on Sunday at seven hours in the morning, and the haill inhabitants came to the kirk. And there he exhorted them to repent for (of) their sins, which had provoked the said judgment of God to come upon the city; assuring them that if they were truly penitent therefor, and would avow to God to amend their lives in time coming, God would avert His judgment, and give them deliverance. Whose powerful exhortations moved the people to cry to God with tears, clamours, and cries, and to hold up their hands to God (that they would) amend their lives, and every one of them to abstain from their domestic sins. The like humiliation both of men and women has not been seen within Perth before. Fasting, preaching, and prayers, continued all that week. Our pastor with great magnanimity insisted in exhorting the people to true repentance and amendment of their lives. The waters began somewhat to decrease after noon on Sunday; but after daylight passed there arose a greater tempest of wind and rain than at any time before, which so affrighted the people that night, that they looked for nothing but (that) the waters should have arisen to greater height nor (than) they were before. Notwithstanding thereof, miraculously, through the mercy of God, by (beyond) all men's expectation, the waters greatly in the meantime decreased, which in the morning moved the people in the kirk and all other places to give most hearty thanks to God for his mercy towards them. Mr John Malcolm, Minister, proved the part of a faithful pastor to his flock, with great godly courage and magnanimity to comfort them with the mercy of God. Great plenty of corns in all parts, both stacks and stouks, being on haughs and valley ground, were carried away by the waters, and divers ships by tempest perished, and horse, nott (cattle), kye, and sheep drowned. *November 13*—The (Town) Council and (Kirk) Session ordain Charles Rollock, Bailie, keeper of the collected money, to give thereof to Henry Moss, boatman, a double angel, in recompence of his jeopardies, pains, and travels, in saving many persons from perishing by the late inundation of waters outwith the Castle Gavel Port by means of his boat,

transporting them therewith from their houses full of water into the town.

Vagrants.—*November 27, 1621.* The (Town) Council and (Kirk) Session being convened in the revestry, Adam Paterson complained upon certain coddrochs (vagrants) in Dionysius Conqueror, notar, his close (alley), who dwell in laigh cellars wanting chimneys, wherethro' he and his family are not only abused with the smoke and reek ascending up through the liftings of the house, but also are in perils and put in hazard of the burning of their land (tenement), and besides, that he (Adam Paterson) reports that men at very suspicious times resort even in the night to certain of the coddrochs, and that they are resettlers of that which unfaithful servants steal furth of their masters' houses. Whereupon the Council and Session think it very expedient that, conform to an Act made before, the said coddrochs be removed, and that the said Dionysius be ordained to remove them, and not to set (let) his houses to any that will kindle an ingle therein that want chimneys. And ordains that the said Dionysius and coddrochs be warned the next Monday to hear them discharged.

An unmarried Woman.—*December 3, 1621.* Forasmeikle as dilation being made that Janet Watson holds an house by herself, where she may give occasion of slander; therefore Patrick Pitcairn, Elder, is ordained to admonish her in the (Kirk) Session's name either to marry, or then pass to service, otherwise that she will not be suffered to dwell by herself.

Scolding in the Church.—*January 24, 1622.* Compeared Violet Gardner, who being accused for profaning the Lord's sanctuary in flyting with Janet White immediately after their private prayers, she answered that the said Janet had abused her with vile words, and that she forbore the said Janet, They are continued till Monday next, and are ordained to be warned to that day.

A termagant Wife.—*April 9, 1622.* Whilk day John Fleming, Bailie, resolving with the (Kirk) Session what form of punishment shall be enjoined to the aforementioned John Keir's wife for putting violent hands on him, and for wounding him in the head with a pair of taings (tongs); it is concluded that she, on the next mercat day, pass barefooted, holding up the

same taings in her right hand above her head through the streets of the town.

A suspected Witch.—*April 16, 1623.* Margaret Hormscleuch, suspected of sorcery, being warned to compear this day before the (Kirk) Session, and not compearing, is ordained therefore to be warded. *May 5*—Compeared Margaret Hormscleuch, who being accused if Robert Christie's daughter at the Mill of Huntingtower came to her with meal and beef to seek help to their cow, she denied. Also being asked if she heard that certain years syne (since) Patrick Paton's wife her cow's milk was taken from her by sorcery, which also she denied. Thirdly, being asked if a poor woman that lodged with her a certain space sought health to her sick bairn for God's cause, she confessed that she answered—"Let them give her health that took it from her bairn." She is committed to ward in the (Halkerston's) Tower till she be tried anent sorcery, whereof she is holden to be greatly suspected. *May 8*—The (Kirk) Session conclude that ane post be directed to my Lord Chancellor, with the clerk's letter, to purchase a commission for holding of an inquest and assize upon Margaret Hormscleuch, indicted for witchcraft. *May 27*—Whilk day, in presence of the (Kirk) Session and of Andrew Anderson, Bailie, Margaret Hormscleuch detained in ward, and delated ane witch, convened before them. She of her own free motion and will disposed to Mr Archibald Steedman, barber and kirk officer, ane cow pertaining to her under the herding and keeping of Chrystie, her son-in-law, since she was warded, declaring that during that time she has been entertained by Mr Archibald Steedman; in contentation to him thereof she dispones to him the said cow, and wills and ordains him to intromit therewith, sell, use, and dispone thereupon for payment to him of his bypast furnishing, and for the farther furnishing to be made by him to her during her warding, and requests the said Bailie to interpone his authority for said Mr Archibald to get intromission with the said cow, to the effect foresaid. *June 2*—Compeared Henry Balneaves, alleging that Margaret Hormscleuch rests (owes) to him of bypast meall (house-rent) L.10 (Scots), and offered the cow to Mr Archibald for payment thereof, which he refused to accept,

and desires the said Henry to satisfy him of the furnishing made by him to the said Margaret, and to furnish her in time coming, and to bruik the cow, which the said Henry refused to do, but is content to satisfy him for his bypast furnishing, and to meet thereupon after the prayers this night.

Witches.—*June 3, 1623.* Compeared George Wilson, and deponit (paid) the eight merks which he was ordained to pay for his exemption from warding and the Cross-head; whereof Mr John Robertson took twelve shillings (1s. sterling), which he had disbursed in the affairs of the (Kirk) Session; and the remainder thereof, together with twenty-two shillings (1s. 10d. sterling) taken furth of the thesaury, and fifty-two shillings (4s. 4d. sterling) received from John Fleming, was sent with George Robertson, post, together with the depositions of the witches, for purchasing an commission to put the witches to an inquest. And for procuring thereof he is ordained to direct ane missive to Andrew Conqueror, Commissioner for the town, and another to Charles Rollock, Bailie, who are both presently in Edinburgh, and ane letter to Mr John Guthry, Minister, that they all three may concur together for obtaining the said commission.

A Quarrel.—*July 3, 1623.* Compeared Thomas Wilson, and is accused for dispersoning of Mr Henry Adamson, Reader, in saying—"That if he were not in the place of a Reader he would throw (pull or twist) his nose," with other contemptible speeches. The said Thomas replied, that the said Mr Henry began first to blaspheme (insult) him, and to call him—"Deboished dyvour," which he would take in hand to prove by Walter Balneaves and John Blossom. The (Kirk) Session think it expedient that the parties be reconciled; and because that the said Thomas' offence is thought to be the greatest, the (Kirk) Session ordain the said Thomas to crave the said Mr Henry pardon, which he did, and they took (each) other by the hand.

Consulting with Witches.—*July 24, 1623.* Conform to citation compeared Janet Barry, and is accused for consultation with witches, in seeking health at (from) them, as at (from) the devil and his instruments, to her bairn. She denies that she knew these women to be witches of whom she sought

health to her bairn; yet acknowledging her offence against God and this congregation in craving the advice of these women,* and following thereof, she unfeignedly repents her therefor, and submits herself in the (Kirk) Session's will. The (Kirk) Session continues till Monday next to deliberate in the said matter, and the said Janet is cited *apud acta*, then to compear. *July 28*—The (Kirk) Session continues the censure of the aforementioned Janet Barry till Thursday next, that in the meantime they may have the advice of the Presbytery, to deliberate anent her foresaid offence. *July 31*—Which day (the Town) Council and (Kirk) Session being convened in the revestry, compeared Janet Barry afore named, who for her consultation with witches, in seeking help and health at them to her bairn, plainly confessed by her and the witches, is ordained to stand in white sheets under the bell-string (rope) the next Sabbath before noon, there to confess her said offence, and to declare her repentance for the same, and also ordain her to pay before Sunday next twenty merks to the use of the poor. *August 1*—Whilk day the (Kirk) Session for certain good motives and considerations moving them, continue (delay) the compearance of the said Janet the time and place appointed, until order be taken with remanent persons consulters; and have received the twenty merks, whereof six were given to Mr Archibald (Steedman) in part payment of what was disbursed by him for (Margaret) Horns-cleuch—the rest was put in the Thesaurry.

August 11, 1623. Compeared Janet Jackson, and is accused for consulting with witches, and following their advice for health to her bairn, in that she employed umquhil Isabel Haldane to go silent (secretly) to the Well of Ruthven, and silent back again with water to wash her bairn. The said Janet confesses that the said Isabel brought the water, and washed the bairn therewith, and that the said Isabel did it unemployed by her; and also that she put her bairn through ane cake made of nine carnes (pickles) of meal gotten from women married maidens, and that it is an common practice

* Mr Scott observes that the witches had been executed before the above date. He adds, that the usual place for the incremation of witches is said to have been a hollow in the North Inch.

used for curing bairns of the cake mark. She is ordained to compear the next Thursday, to sustain censure anent the premisses. Compeared Duncan Tawis, and his wife, and are accused of passing to Black Ruthven to Janet (a) witch, to seek help to their bairn; they confessed their going there, but that they knew not she was a witch, but that the bruit went that she could help bairns who had gotten ane dint of ill wind. They are ordained to compear at the next warning. Compeared Grizzel Espline, and is accused for seeking help at Margaret Hormsleuch for remeid of her disease, which she could not deny; continued her censure thereanent till farther advertisement and compearance.

August 19, 1623.—Conform to citation compeared John Bog, and is accused of not resorting to God's service on the Sabbath-days: Answered thereto, that when he may (can) come he does it, but by occasion of his sickness is lettit (prevented) divers times, as (his) neighbours know. Secondly, is accused for not communicating at the Lord's table with the rest of this congregation. Answered, that he did communicate yearly thereat, except the last time of the celebration thereof; that he in the meantime was deadly sick. Thirdly, is accused upon ane great slander risen of him, that his purse being stolen from him, he used devilish means to get intelligence thereof, the time of the last tempestuous winds which did great hurt to the fruits of the earth. Answering thereto, he sat down on his knees, and with shedding of tears abundantly purged himself thereanent, saying that it was true that he wanted his money, which was stolen forth of his kist (chest) by thieves—that he purged his wife, daughter, and son-in-law thereanent, and besought God to strike him instantly to death if ever he used any such indirect methods to get knowledge of his money, but that he wants it as yet; whereupon the Session, till farther trial anent the premisses, remits him.

Poison.—*April 27, 1624.* Conform to citation compeared Janet Sharp, and is accused of giving a drink of . . . leaves to umquhile Thomas Finlayson her son, and which hastened him to his death. Answered, that it was his own will to have it, and before that he drank thereof she drank of it; and because it is a poisonous herb, and that it is not leesom to

any except physicians and skilled men to compose drinks of herbs, therefore, and to the effect that the like be not used in this congregation in time coming, she is ordained to draw up in the kirk the next Sabbath in time of the afternoon's sermon, and there in presence of the congregation confess her said fault, and publicly declare her repentance therefor, to the terror of others to commit the like within this congregation, under the pain of severe censure (to any one) who contravenes.

May 3—The Session ordain that intimation be made publicly the next Sabbath that none of this congregation give drinks of . . . leaves, or of other herbs, to such persons, but physicians and men of skill, under such pains as the Session pleases to enjoin against the contraveners. Compeared the said Janet Sharp, guilty of the said fact of giving ane drink of the said leaves, and besought the Session to dispense with her thereanent, because she knew not if it might do any hurt to the drinker, but rather good, and that it has been commonly used within this burgh many years heretofore, and that she never used it but once, and will never meddle with the like hereafter; and that in respect thereof, and that it was never publicly prohibited, it would please the Session not to make an public spectacle of her, but that they would accept from her ane penalty to the use of the poor according to her ability. The Session being ripely advised hereanent, dispense with their former Act made against her, and, being humbled on her knees, declared her repentance for her said fault, and act her never to do the like hereafter: and ordain her to pay forty shillings (Scots), immediately to be given to Margaret Cook for furnishing made by her to umquhile Dionysius Duncan.

Drunkenness. — *June 7, 1624.* Compeared Alexander Cairncross, who being accused for being in company with drunken men, and he himself also appearing drunk, and yet could not be satiate, but openly on the cawsey drank divers pints of ale, and in end fell in tuilzeing; the said Alexander alleged that he was sober, but these in his company were overcome with drink and fallen in strife, and he was a ridder and intervener between them that not one of them should hurt another. He is admonished to fear God and use sobriety.

Witchcraft.—*April 26, 1626.** Whilk day it was reported to the Prebytery by the Ministers of Perth, that Bessie Wright in the parish of Scone, who long has been suspected of witchcraft in curing of sick folks, who was also bound and acted not to frequent the burgh of Perth, nor to use farther her cures, as the Act in the Books of (the) Presbytery the last day of July 1611 years at more length bears; notwithstanding (she) has contravened the foresaid Act in curing of sick folk, and frequenting the said burgh, to the great offence of many. The Presbytery ordain her to be cited, and examined according to the foresaid Act. *May 3*—Whilk day Bessie Wright, being called, lawful time of day bidden, conform to her citation, compeared not. Ordain her to get the second summons. *May 10*—Whilk day compeared Bessie Wright in (of) the parish of Scone, and being asked of her skill in curing diseased persons, answered—That she had a book whereout she had her skill, which was her father's, her good-sire's, and grand-sire's, and as she alleged, was a thousand years old, which her son Adam Bell read to her, which book also she declared was taken from her by Mr William Cowper, Minister of Perth, or Archibald Steedman, beadle for the time. The Moderator and Brethren ordain that if she be deprehended in using any cure she shall be incarcerate; likewise that the Ministers of Perth shall make intimation on the Sabbath following, that because the said Bessie is under suspicion of witchcraft in curing of diseased persons by unlawful means, that none resort to her for any cure under the pain of the censures of the Kirk. *May 27*—Mr John Malcolm, Minister at Perth, reported that he had made intimation anent Bessie Wright on Sunday last before noon, that none resort to her for cure.†

* Mr Scott states in his MS. observations that from the 17th of October 1624, which concludes the seventh volume of the Kirk-Session Register of Perth, to the beginning of January 1631, that Register is lost, and that he has endeavoured to supply the deficiency by such transcripts from the Presbytery Register as relate to the affairs of the Kirk-Session of Perth. These, however, are for the most part of no importance whatever.

† Bessie Wright, who seems to have been a very harmless and useful person, was repeatedly brought before the Presbytery after the above date. She was imprisoned, and ordered to appear before William seventh Earl of Menteith, Lord Justice-General. Her fate is not known.

Child exposed.—*June 26, 1627.* Whilk day compeared Janet Smith in (of) the parish of (Inverkeithing), born in the North Ferry in Fife, who being accused of deserting and casting away her child, answered—she was moved so to do because the infant was not baptized; confessed also that the child was to one Alexander Lindsay, a beggar, now a suddart (soldier), and that she was delivered in a town above Pittenween called Newbigging, twelve weeks since or thereby: The Moderator (Bishop of Dunkeld) and Brethren ordain the Ministers of Perth to take her repentance, and to baptize the child, being presented by some faithful Christian; thereafter the child to be delivered to the mother.

A Frolic.—*March 3, 1631.* Whilk day compeared Isabell Hunter, lamentably declaring that upon the 1st of March instant, at ten hours at even, David Duff came in to their house, and passed with a lighted candle to the chamber where her husband lies, and looked in his face, saying to him—“That the picture of death was in his face, and that if he lived three Sundays hereafter he would live three hundred years.” Whereat she being offended that he should give her husband such dull comfort, said to him—“David, are ye a witch, that ye can discern upon life and death, and (the) time thereof?” He most slanderously answered—“You and your mother have witched him to be pining in his bed till he die,” with sundry other speeches both against her husband, herself, and mother, and against John Conqueror and his spouse, using great perturbation in the house, and would not pass forth thereof until he was put forth by violence. And after he was put forth, and the yett (gate) steiked (shut), he would not refrain from speaking most slanderous speeches against us; and so the said David had committed both oppression and the highest degree of slander against them, beseeching the Session to take condign order with him thereanent. The said David, conform to warning, compeared, and being examined upon the points above written, confessed certain thereof, alleging that he being overcome with drink at the time, knows not what he spoke. Matthew Lamb and John Conqueror, younger, being examined, proved the premisses, whereupon the Session find that the said David has committed notable offences

against the said David Jackson and his spouse, and ordain Mr Robert Mitchell, Bailie, here present, to put the said David in ward, therein to remain until he pay a penalty conformable to his offences—the one half to be applied to the use of the Session to distribute to the poor, and the other half to the Bailie's use, which he promised to do.

Lykewakes.—*May 6, 1631.* Forasmeikle as the (Kirk) Session, being informed of great profanities that customary are used at lykewakes by certain profane persons that purposely resort thereto for that effect, and that they use to come at midnight to honest men's houses when they are upon rest, and knock at their yetts (gates), declaring that certain special friends belonging to them have taken a sudden sickness tending to death, putting these persons at whose yetts they report these things under great fear, and causing them in a suddenty to rise furth of their beds to the visitation of those reported to be in the said sudden sickness, and find it but done in derision of mockery, tending to the offence of God and honest neighbours. For restraining of such profanity in time coming, the Session have ordained that the (Town) Council convene with them the next session day, to settle an Ordinance anent sobriety and godly exercises to be used at lykewakes, and that profane persons be not admitted thereto in any time thereafter.


A Female in disguise.—*April 16, 1632.* Conform to citation cor peared Janet Gibson, a servant lass, and is accused of indecent wantonness in putting on men's clothes upon her. She answered that she simply drew upon her a pair of breeks (breeches), and cast them immediately, (and) she promises never to do the like hereafter. She is committed to ward, therein to remain the space of three hours.

A Man in Woman's clothes.—*December 17, 1632.* Report being made to the Session that Burnet in the New Row disguised himself in woman's clothes, and went through the town in great profanity the last Sabbath at night, he is ordained to be warned to compear before the Session the morrow to be censured for the same.

Charming.—*December 30, 1634.* Conform to citation compeared Robert Thomson, maltman, and it is shewn (to) him that delation is made to the Session that a bairn of his was

taken to the Mill of Balhousie and put in(to) the flapper thereof and the mill set on, to be charmed, which is a lesson of Satan, and express against God's command. He answered that he knew not thereof until the bairn returned. Being such an odious offence, the Session take to be advised with the Presbytery the morrow how the same shall be punished.

Here we conclude the Extracts from Mr Scott's industrious transcript of the Register of the Kirk-Session of Perth, the then "police court," which continued Episcopal till after the Glasgow General Assembly of 1638. In 1639, it became Covenanting Presbyterian, and committed many acts of tyranny towards the Royalists, or "Malignants," and others, till Cromwell subjugated Scotland in 1650, after the battle of Dunbar, and this "vicious intromitter," as he was wittily designated on one occasion at Perth, preserved the public liberty by military rule. From the Restoration of Charles II. in 1660 to the Revolution of 1688, the Perth Kirk-Session was again Episcopal, after which the Presbyterian Establishment supplanted its foe, and the Kirk-Session has existed to the present time—an *umbra nominis*—equally powerless for evil or for good—without influence and authority except for its local purposes, or as voluntarily recognized by those who adhere to the system of which it is the most inferior component, and confining itself to such harmless deliberations, that its meetings in any parish of Scotland are utterly unknown to the majority of the people,



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ERRATA.

Page 33, for Prior John Anderson, read John Adamson.

Ibid. for Prior Robert Lite, or Little, read Robert Lyle.

Page 132, second note, for Sir Lewis Bellenstan read Sir Lewis Bellenden.

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